Arlington Conservation Commission

Date: Thursday, June 17, 2021
Time: 7:30 PM
Location: O'Neill Room, Community Safety Building, 112 Mystic Street

Please note: The listing of matters are those reasonably anticipated which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law.

Agenda

1. Administrative
    a. Review draft 06/03/2021 minutes
    b. Discuss updates to the Thorndike Place comprehensive permit application.
    c. Discuss updates to the 1165R Mass Ave comprehensive permit application.
    d. Update on the Open Space & Recreation Plan Workshop held on 06/10/2021
2. Discussion
    a. **Regulations Update: Section 4, Definition #72 - Stream**

    8:00pm The Commission will review and discuss the definition of stream in the Arlington Regulations for Wetlands Protection.

3. Hearings

Request for Certificate of Compliance

Request for Certificate of Compliance: 36 Peabody Road

7:45pm The project as approved proposed to hardscape and landscape the backyard of a single-family home on a parcel abutting Spy Pond, within the 100-ft Wetlands Buffer and Adjacent Upland Resource Are of Spy Pond. The project was approved on 9/19/2019. The Commission approved a minor plan amendment on 11/21/2019 to allow for 106 square feet of additional hardscaping to be constructed.

Notice of Intent

Notice of Intent: Spy Pond Treatment Program
MassDEP File #091-0330

Request to Continue to 07/01/2021

8:00pm This project proposes a water quality management program for Spy Pond.

Request for Certificate of Compliance

Request for Certificate of Compliance:46 Spy Pond Parkway
MassDEP File #091-0300
Request to Continue to 07/01/2021

8:00pm The project as approved proposed to raze and rebuild an existing single family home and add resource area improvements through a native vegetation buffer along Spy Pond and pervious paver driveway, walkways, and patio in the 100-ft wetlands buffer and AURA of Spy Pond. The project was approved on 11/20/2018.



Town of Arlington, Massachusetts

Review draft 06/03/2021 minutes

Summary:
Review draft 06/03/2021 minutes

ATTACHMENTS:

	Type	File Name	Description
🗋	Minutes	06032021_Minutes_Conservation_Commission.pdf	Draft 06/03/2021 minutes

Arlington Conservation Commission

Date: June 03, 2021
Time: 7:30pm
Location: Conducted through Remote Participation using Zoom

Minutes
Attendance: Commission Members Susan Chapnick (Chair), Mike Gildesgame, Pam Heidell, Dave Kaplan, Nathaniel Stevens, Chuck Tirone (Vice Chair), and David White; Associate Commissioners Cathy Garnett and Doug Kilgour; and Conservation Agent Emily Sullivan. Members of the public included Peter Speros (112-114 Milton Street), Jim Speros (112-114 Milton Street), Chuck Samiotes (112-114 Milton Street), Katie Enbright (10-16 Mill Street), Drew Hunter (10-16 Mill Street), Mary Winstanley O'Connor (1165R Mass Ave), Jim Juliano (46 Spy Pond Parkway), Kara Sliwoski, Amanda Mahaney, Brad Barber, Karen Grossman, William Fletcher, and John McCann.

05/20/2021 Meeting Minutes
The Commission discussed edits to the draft 05/20/2021 minutes. D. White motioned to approve the minutes as edited, N. Stevens seconded, all were in favor, motion approved. A roll call vote was taken. S. Chapnick voted yes, P. Heidell voted yes, D. Kaplan voted yes, N. Stevens voted yes, C. Tirone voted yes, and D. White voted yes. M. Gildesgame abstained from the vote because he was not at the 05/20/2021 meeting.

Water Bodies Working Group Update
D. White summarized the Water Bodies Working Group (WBWG) meeting that occurred on 05/27/2021. Town Engineer Wayne Chouinard could not attend the WBWG meeting but communicated to E. Sullivan prior to the meeting. W. Chouinard recommended that the WBWG review the operation & maintenance plan (O&M plan) for the McClennen Detention Basins and update as needed.

D. White stated that the WBWG was interested in developing a Community Preservation Act (CPA) application for FY2023 to conduct a study of the McClennen Detention Basins. The study would include an assessment of the iron floc that is visible in the basins, an assessment of the sedimentation in the basins and recommendation for removal, and a vegetated buffer design for the land around the basins. The CPA application would recommend a phased project timeline for study, design, and implementation. The phased project would likely require multiple CPA applications. The WBWG would work with the Park & Recreation Commission, as well as the Department of Public Works.

Request for Permit Extension: 114-116 Milton Street

MassDEP File #091-0293
Documents Reviewed:

1) *114-116 Milton Street NOI*
2) *114-116 Milton St OOC*
3) *114-116 Milton Street Request for Plan Amendment*
4) *114-116 Milton Street Approved Amendment Request*
5) *114-116 Milton Street Request for Permit Extension*

Resource Areas:

- *Bordering Land Subject to Flooding*
- *Floodplain*

The project as approved proposed to construct an addition and add native landscaping to 114-116 Milton Street within Bordering Land Subject to Floodplain and Floodplain. This project was approved by the Conservation Commission on 06/21/2018. The Conservation Agent administratively approved a request for plan amendment on 01/19/2021. The amendment proposed to change the compensatory flood storage strategy from an underground storage tank to regrading the rear of the property. The amended plan proposed to increase compensatory flood storage and create 444 cubic feet of flood storage, compared to the originally approved 382 cubic feet of flood storage.

C. Samiotes presented the request for permit extension. The request was for a one-year extension. C. Samiotes stated that the COVID-19 pandemic had delayed the project. The project was substantially complete, but still had some outstanding components due to labor shortages during the pandemic.

N. Stevens motioned to approve a one-year extension of the permit, from 06/21/2021 to 6/21/2022, D. White seconded, all were in favor, motion approved. A roll call vote was taken. S. Chapnick voted yes, M. Gildesgame voted yes, P. Heidell voted yes, D. Kaplan voted yes, N. Stevens voted yes, C. Tirone voted yes, and D. White voted yes.

Request for Permit Extension: 10-16 Mill Street
MassDEP File #091-0294
Documents Reviewed:

1) *10-16 Mill Street NOI*
2) *10-16 Mill Street OOC*
3) *10-16 Mill Street Request for Permit Extension*

Resource Areas:

- *200-ft Riverfront Area*
- *Mill Brook*

The project as approved proposed to redevelop and add an addition to 10, 12, 14-16 Mill Street within the 200-foot Riverfront Area of Mill Brook. This project was approved by the Conservation Commission on 06/21/2018.

K. Enbright presented changes to the plan that have been made since the project was approved in 2018. No construction for this project has started yet. The project changes include:

- Reducing the connected between 10/12 Mill Street and 14/16 Mill Street.
- Creating a pedestrian plaza in the setback area in front of the proposed building connection along Mill Street, which will increase the proposed pervious surface onsite by 760 square feet (the project was originally approved to increase pervious surface onsite by 65 square feet). The pedestrian plaza would include synthetic turf.
- Creating a play area for children in the rear of the site. The play area would include synthetic turf.
- Installing three (3) 500-gallon capacity drywells rather than the originally approved two (2) 500-gallon capacity drywells in the rear of the property and installing one (1) 1,000-gallon capacity drywell in the front of the property. This will increase drywell capacity from the originally approved 1,00 gallons to 2,500 gallons.
- Removing seven (7) trees in the rear of property.

S. Chapnick asked whether the Applicant was requesting a permit extension or a plan amendment, since the changes presented were substantial.

C. Tirone agree that these proposed changes were not minor and required a Request for Plan Amendment and stated that this did not require a new Notice of Intent.

S. Chapnick noted that this permit expires on 06/21/2021.

N. Stevens stated that the Applicant will have to file a Request for Plan Amendment, notify abutters of the Request for Plan Amendment, and post a legal notice. The current agenda presents this as a Request for Permit Extension, so the proposed changes need to be presented again during a Request for Plan Amendment hearing.

P. Heidell agreed with the previous comments. P. Heidell asked whether all of the proposed changes were within the Riverfront Area. K. Enbright confirmed all of the proposed changes were within the Riverfront Area. K. Enbright stated that all of the proposed changes were beneficial to the Riverfront Area, except for the tree removal. K. Enbright stated that the Applicant would submit a new planting plan with the Request for Plan Amendment that included replacement for the trees per the Arlington Regulations for Wetlands Protection.

N. Steven stated that the Commission cannot substantively discuss the proposed changes during tonight's hearing, since tonight's hearing was a Request for Permit Extension hearing. N. Steven stated that the Commission can approve the permit extension and then the applicant can submit the Request for Plan Amendment.

S. Chapnick clarified that the Commission could grant a permit extension tonight, but the extension would not approve any of the plan changes presented. S. Chapnick also

recommended that the Applicant include information on the proposed synthetic turf in the Request for Plan Amendment. S. Chapnick asked E. Sullivan to share the Commission's synthetic turf information with the Applicant.

N. Stevens motioned to extend the permit two (2) years, from 06/21/2021 to 06/21/2023 under the Bylaw and the Act, D. White seconded, all were in favor, motion approved. A roll call vote was taken. S. Chapnick voted yes, M. Gildesgame voted yes, P. Heidell voted yes, D. Kaplan voted yes, N. Stevens voted yes, C. Tirone voted yes, and D. White voted yes.

Thorndike Place 40B Comprehensive Permit Update
D. White recused himself from the Thorndike Place 40B discussion.

S. Chapnick informed the Commission that the next Zoning Board of Appeals hearing for Thorndike place is scheduled for Thursday, 06/10/2021.

19R Park Avenue – Downing Square Update
S. Chapnick provided a summary of the public meeting that occurred earlier in the evening to present the draft Phase IV Completion Report and Permanent Solution Statement for Downing Square. S. Chapnick summarized that the site had been cleaned up to MassDEP/EPA PCP standards. Additional flood mitigation had been added to the project by installing crawl spaces for flood conveyance under the buildings, creating more flood storage. Since all contamination was cleaned up, there was no Activity and Use Limitation on the site.

The project originally proposed to build a bridge from the site to the abutting bikeway and restore some of the area along the bikeway. The bridge portion of the project has been removed due to funding limitations.

P. Heidell clarified that MBTA owns the bikeway and was requiring the Applicant to get liability insurance at an amount that was cost prohibitive for the Applicant. The Applicant had applied for Community Preservation Act funding for the bridge connection but withdrew the application due to MBTA's requests being cost prohibitive.

C. Tirone asked whether there is any recourse the Commission can take because the Commission approved the project with the understanding that there would be restoration, but the restoration component has been removed since the bridge connection will not be built.

N. Stevens stated that the Commission can tighten up its restoration conditions or include language in its Regulations.

C. Tirone stated that he was disappointed that the restoration was not happening but understood the limitations of the project and working with MBTA.

C. Garnett stated that the Commission could require the same restoration elsewhere onsite.

Notice of Intent: Spy Pond Treatment and Management Program
MassDEP File #091-0330
Documents Reviewed:

1) *Spy Pond Treatment and Management Program NOI*
2) *MassDEP File #091-0258 Spy Pond Treatment OOC*

Resource Areas:

- *Land Under Water Bodies and Waterways*

This project proposes a water quality management program for Spy Pond. In particular, the project proposes to manage invasive aquatic vegetative growth to maintain the recreational opportunities on the pond. K. Sliwoski presented the proposed pond treatment and management plan. K. Sliwoski explained that this proposal was a continuation of the existing Spy Pond treatment program. This proposal included one new herbicide, ProcellaCOR EC, which was recently approved by EPA and MassDEP. ProcellaCOR EC is similar to Sonar, but only requires one treatment and not two, like Sonar requires. ProcellaCOR EC is administered through spot treatments and has a reduced risk rating from EPA, unlike Sonar. This proposal also included non-chemical treatment methods, including hand-harvesting and diver-assisted suction harvesting (DASH).

S. Chapnick stated that she appreciated the non-chemical treatment options listed in the proposal. S. Chapnick asked when hand-harvesting or DASH would be appropriate. K. Silwoski stated that she did not recommend hand-harvesting for curly leaf pondweed or water chestnuts because seedpods are viable for multiple years, and it is difficult to know how many seedpods are on the bottom of Spy Pond. K. Silwoski stated that milfoil can be hand-harvested when there is limited growth. K. Silwoski stated that she does not recommend hand-harvesting for spiny naiad.

S. Chapnick asked why the proposal included multiple herbicides that treat the same invasive species, such as Sonar and ProcellaCOR EC. K. Silwoski stated that management program included multiple treatment tools so that the maximum number of management scenarios could be achieved as needed. K. Silwoski recommended that the Commission could condition the treatment permit such that certain herbicides, such as Sonar and Glyphosate use is contingent on prior approval from the Commission.

M. Gildesgame noted that milfoil is prone to fragmentation, and that can be problematic if treating milfoil through DASH. M. Gildesgame asked whether there were new DASH methods or technologies that prevent fragmentation. K. Silwoski stated that there were no new DASH methods or technologies, and that there is a certain amount of accepted risk if milfoil is treated through DASH.

P. Heidell asked if this proposal had been reviewed by Mass Fish and Wildlife yet. K. Silwoski stated that the proposal had been submitted for a Massachusetts Endangered

Species Act review but had not received comments back yet. P. Heidell stated the Commission could not approve the NOI without Fish and Wildlife's review comments.

P. Heidell asked for clarification on the proposed monitoring components of the project. K. Silwoski stated that the NOI does not outline a monitoring program because the treatment work goes out to bid through specific public procurement and monitoring is outlined in the bid process.

P. Heidell asked how monitoring can be implemented to reduce the use of chemical treatments. K. Silwoski elaborated that when Solitude Lake Management manages Spy Pond treatments, they conduct a spring point-intercept survey to determine presence of invasives, conduct a mid-summer visual survey, and conduct a fall point-intercept survey to determine the efficacy of the treatments.

C. Tirone asked whether non-chemical treatment methods, such as hand-harvesting and DASH, are included in the current treatment contract. K. Silwoski stated that they are included in the contract as optional tasks.

C. Tirone asked about the status of phragmites around Spy Pond. K. Silwoski stated that there is a minimal amount of phragmites around the pond. There are some phragmites on the southern part of Elizabeth Island and within the cattails along Kelwyn Manor. K. Silwoski and A. Mahaney stated that direct application or controlled spraying of Glyphosate or Clearcast could treat the phragmites.

D. Kaplan stated that there is very little opportunity for Glyphosate to migrate into the water through phragmites application.

S. Chapnick requested more up-to-date maps of invasive concentrations in the pond since the map in the NOI is labeled 2017. A. Mahaney stated she would submit a more recent map.

The Commission opened the hearing for public comment.

K. Grossman asked how this treatment plan would impact the recent shoreline plantings in Spy Pond Park and other areas around the pond. K. Silwoski stated that the treatments would not impact the shoreline plantings because the herbicides proposed in the treatment plan are either specific to in-water plants or foliar application to phragmites. K. Grossman asked whether the proposed herbicides have irrigation restrictions. K. Silwoski stated that yes, Diquat and Sonar have irrigation restrictions that are communicated through the treatment postings sent out prior to treatment applications.

J. McCann asked whether the proposed herbicides and treatments impact waterfowl. S. Chapnick stated that the herbicides are studied by EPA and MassDEP specifically to understand how they interact with other organisms or ecosystems. K. Silwoski stated that the herbicides are designed to target plant cells only. J. McCann asked if there was

an impact to waterfowl that consume vegetation treated by the herbicides. S. Chapnick stated that this was a valid concern, and that bioaccumulation was an important consideration for the proposal. S. Chapnick stated that the Commission would share all research it has from EPA and Washington State on the herbicides.

B. Barber stated that he had begun to informally survey the pond this year to be more proactive for treatments. B. Barber is sending his survey reports to the Water Bodies Working Group and Solitude Lake Management.

S. Chapnick asked whether the Commission required additional information regarding the proposal. K. Silwoski noted that the Commission still had not received comments from Fish and Wildlife.

P. Heidell asked how much more expensive DASH is compared to chemical treatment. K. Silwoski stated that DASH or hand-harvesting large areas is typically cost prohibitive.

N. Stevens stated that Spy Pond included Priority Habitat, not Estimated Habitat, so technically the Commission did not need to wait for a response from Fish and Wildlife's Natural Heritage and Endangered Species Program (NHESP). The Commission agreed that although not required, it would wait for comments from Fish and Wildlife.

C. Tirone motioned to continue the hearing to the Commission's 06/17/2021 meeting, D. Kaplan seconded, all were in favor, motion approved. A roll call vote was taken. S. Chapnick voted yes, M. Gildesgame voted yes, P. Heidell voted yes, D. Kaplan voted yes, N. Stevens voted yes, C. Tirone voted yes, and D. White voted yes.

Request for Certificate of Compliance: 46 Spy Pond Parkway
MassDEP File #091-0300
Documents Reviewed:

3) *46 Spy Pond Parkway NOI*
4) *46 Spy Pond Parkway OOC*
5) *46 Spy Pond Parkway Request for Certificate of Compliance ("RCOC") and As-Built*
6) *46 Spy Pond Parkway Additional RCOC Materials, dated 02/25/2021*
7) *COC Internal Checklist*

Resource Areas:

- *100-ft Wetlands Buffer*
- *Adjacent Upland Resource Area*

The project as approved proposed to raze and rebuild an existing single family home and add resource area improvements through a native vegetation buffer along Spy Pond and pervious paver driveway, walkways, and patio in the 100-ft wetlands buffer and AURA of Spy Pond. The project was approved on 11/20/2018.

J. Juliano summarized the additional information that the Commission had request at its previous hearing for the Request for Certificate of Compliance. J. Juliano stated that

since the last hearing, the project engineer had certified that the vegetated buffer area was 925 square feet, which is larger than the 890 square feet approved by the Commission. The Applicant had also added additional plantings along the buffer area and planted two elm trees to mitigate the impact of the larger terrace area.

S. Chapnick asked whether there was an updated, stamped plan that included the new vegetated buffer dimensions. J. Juliano stated that no, there was no updated plan.

S. Chapnick asked how the vegetated buffer area was calculated. S. Chapnick also stated that the generator pad was not permitted and is within the 50-ft buffer, adding more impervious area.

D. Kaplan asked whether the generator was diesel. J. Juliano stated that was natural gas like the rest of the house. D. Kaplan asked whether the Applicant would add more vegetated buffer as mitigation. J. Juliano stated that the two additional elm trees had been planted for mitigation.

P. Heidell stated that if there are more buffer plantings or if the buffer area is now larger, a new stamped planting plan needs to be submitted to the Commission. D. Kaplan suggested that the buffer markers also be relocated to reflect the new boundary of the buffer.

M. Gildesgame summarized the list of additional information requests:
1) updated planting plan
2) move markers to new buffer boundary, put markers on new planting plan
3) evaluate moving the generator outside of 50-ft buffer boundary

N. Stevens recommended that the Commission go on a site visit prior to the next hearing. J. Juliano stated that he would coordinate with E. Sullivan on a site visit.

N. Stevens motioned to continue the hearing to the Commission's 06/17/2021 meeting, C. Tirone seconded, all were in favor, motion approved. A roll call vote was taken. S. Chapnick voted yes, M. Gildesgame voted yes, P. Heidell voted yes, D. Kaplan voted yes, N. Stevens voted yes, C. Tirone voted yes, and D. White voted yes.

1165R Mass Ave 40B Comprehensive Permit Update
The Commission discussed the BETA review dated 05/28/2021, which responded to each waiver request the Applicant had made.

D. Kaplan stated that the BETA review incorrectly stated that the Commission had decided that once relocated, Ryder Brook would not be jurisdictional. D. Kaplan clarified that the Commission had not come to a consensus about the jurisdictional status of the relocated Ryder Brook. D. Kaplan stated that the Commission needed to clarify this point in tis next comment letter to the Zoning Board of Appeals. S. Chapnick and M. Gildesgame agreed with D. Kaplan.

C. Tirone stated that Ryder Brook is a stormwater feature and did not think it should be jurisdictional.

C. Garnett stated that she still had concerns about some of the proposed planting species, including American Holly.

The Commission went through the waiver requests and discussed what the Commission should recommend:

1) For the Regulations, Section 20C – Bank Performance Standards waiver request, the Commission agreed with the waiver and recommended that the ZBA include a Condition stating the Bank of the relocated Brook shall be protected in perpetuity.

2) For the Regulations, Section 22 – Land Under Water Bodies Performance Standards waiver request, the Commission agreed with the waiver and recommended that the ZBA include a Condition stating the Land Under the relocated Brook shall be protected in perpetuity.

3) For the Regulations, Section 25D – 25' No Disturbance in Adjacent Upland Resource Area (AURA) Performance Standards waiver request, the Commission did not agree with the request because the Commission thought the Applicant was in compliance with the Regulations.

4) For the Regulations, Section 25C – Alternatives Analysis for Work in 100-foot AURA waiver request, the Commission did not agree with the request because the Commission thought the Applicant was in compliance with the Regulations.

5) For the Bylaw, Section 4(b) paragraph 5 – 200-foot undisturbed vegetation in RA waiver request, the Commission did not agree with the request because the Commission thought the Applicant was in compliance with the Bylaw.

6) For the Bylaw, Section 16 and Regulations, Section 11 – Permitting and Consultant Fees waiver request, the Commission did not agree with the request. S. Chapnick stated she would work with P. Heidell and C. Tirone to determine whether a reduction in the Bylaw filing fee was appropriate, and if so the degree of reduction.

7) For the Bylaw, Sections 10 & 11 – Bond Requirements waiver request, the Commission did not agree with the request.

The Commission discussed the waiver request #s 3-5 with M. O'Connor and requested more information about why the Applicant thought the proposal was not in compliance with the Regulations and Bylaw.

DRAFT

C. Tirone motioned to close the Commission meeting, D. Kaplan seconded, all were in favor, motioned approved.

Meeting adjourned at 10:23pm.

DRAFT



Town of Arlington, Massachusetts

Regulations Update

Summary:
Regulations Update: Section 4, Definition #72 - Stream

The Commission will review and discuss the definition of stream in the Arlington Regulations for 8:00pm Wetlands Protection.

ATTACHMENTS:

	Type	File Name	Description
🗋	Reference Material	Section_4_Definitions_2021Updated_clean.pdf	Section 4: Definitions

Section 4 - Definitions

A. Except as otherwise provided in the Bylaw or these regulations, the definitions of terms in the Bylaw shall be as set forth in the Wetlands Protection Act, M.G.L. c. 131, Section 40, and its regulations, 310 C.M.R. 10.00.

B. As used in these regulations, the following terms shall have the meanings indicated:

1) ABUTTER – the owner of any land within 100 feet of the property line of the land where the activity is proposed, as determined by the most recent assessors' records including any land located directly across a street, river, stream or pond that is within 100 feet of the project's limits of work.
2) ACTIVITY – on or in any area subject to protection by the Bylaw and its regulations: any form of draining, dumping, dredging, damming, discharging, excavating, filling or grading; the erection, reconstruction or expansion of any buildings or structures; the driving of pilings; the construction or improvement of roads and other ways; the changing of runoff characteristics; the intercepting or diverging of groundwater or surface water; the installation of drainage, sewage and water systems; the discharging of pollutants; the destruction of plant life; the cutting or removal of 20% or more of the growth or limbs of trees or vegetation; and any other changing of the physical characteristics of land or the physical or chemical characteristics of water; and alterations that impact the ability of the resource area to adapt to / be resilient to climate change impacts.
3) ADAPTATION – resilience to the impacts of climate means measures designed or intended to protect resource areas from the impacts of climate change and to protect the ability of resource areas to mitigate the impacts of climate change through providing the interests protected by the Bylaw (the resource area values and functions).
4) ADJACENT UPLAND RESOURCE AREA – the area 100 feet horizontally lateral from the boundary of any of the following Resource Areas: marsh, freshwater wetland, vernal pool, wet meadow, bog, swamp, bank, stream, creek, pond, reservoir, or lake, or resource area defined in Section 2.A(1) through (4).
5) ALTER – to change the condition(s) of any area subject to protection by the Bylaw and shall include but not be limited to one or more of the following actions upon the resource areas protected by this Bylaw:
    a. fill, removal, excavation or dredging of soil, sand, gravel or aggregate material of any kind;
    b. changing of pre-existing drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns or flood storage retention areas;
    c. draining, disturbing or lowering of the water level or water table;
    d. the dumping, discharging or filling with any material which could degrade the water quality; driving of pilings, erection of buildings or structures of any kind;
    e. placing of any object or obstruction whether or not it interferes with the flow of water;

f. destruction, extensive trimming (defined as 20% or more of limbs or growth), or removal of plant life, vegetation, or trees;
g. changing of water temperature, biochemical oxygen demand, nutrient concentration or chemical concentration or other natural characteristics of the receiving water;
h. any activities, changes or work which pollutes any stream or body of water, whether located in or out of the Town of Arlington;
i. application of pesticides and herbicides;
j. any activity, change or work which adversely affects groundwater or drinking water supply;
k. any activity, change or work which adversely impacts the ability of the resource area to be resilient to climate change impacts; or
l. any incremental activity that has or may have a cumulative adverse effect on the Resource Area Values protected by the Bylaw.

6) APPLICANT – a person filing a Request for Determination of Applicability or Notice of Intent or other application with the Commission.
7) AREA OF CRITICAL ENVIRONMENTAL CONCERN – an area so designated by the Secretary of Environmental Affairs of the Commonwealth of Massachusetts pursuant to regulations (301 C.M.R. 12.00), said designation being due to the particular environmental factors which impact upon the areas in question and which highlight the importance of each area so designated.
8) AREA SUBJECT TO PROTECTION UNDER THE BYLAW – any area specified in Section 2(A). It is used synonymously with "resource area," each of which is defined in greater detail in these regulations.
9) BANK – the portion of the land surface which normally abuts and confines a water body, often between the mean annual low flow level and the first observable break in the slope or the mean annual flood level, whichever is lower;
10) BEST AVAILABLE MEASURES – the most up-to-date technology or the best designs, measures or engineering practices that have been developed and that are commercially or readily available.
11) BEST MANAGEMENT PRACTICES – technologies, designs, measures or engineering practices that are in general use to protect the resource area values of the Bylaw including but not limited to those for climate change adaptation and resilience.
12) BORDERING – any land within either of the following or the greater thereof:
    a. 100 feet horizontally lateral from the edge of any marsh, freshwater wetland, vernal pool, wet meadow, bog, swamp, river, stream, creek, pond, reservoir, or lake; or
    b. within the maximum lateral extent of the water elevation of the statistical 100 year frequency storm.
13) BOUNDARY – the boundary of an area subject to protection under the Bylaw. A description of the boundary of each area is found in the appropriate section of these regulations or in the Bylaw.
14) BUFFER ZONE – see definition for ADJACENT UPLAND RESOURCE AREA;

15) BYLAW – Article 8 of Title V of the Bylaws of the Town of Arlington, Massachusetts, entitled "Wetlands Protection".
16) BYLAW INTERESTS – are defined in Section 1, above; also known as Resource Area Values.
17) CALIPER – diameter of a tree trunk (in inches) measured six inches above the ground for trees up to and including four-inch diameter, and 12 inches above the ground for larger trees.
18) CERTIFICATE OF COMPLIANCE – a written determination by the Conservation Commission as to whether work or a portion thereof has been completed in accordance with the permit issued under the Bylaw governing said work.
19) CLIMATE CHANGE – a change in the state of the earth's climate that can be identified by statistical changes of its properties that persist for an extended period, typically decades or longer, whether due to natural variability or as a result of human activity. Climate change impacts can adversely impact resource area functions.
20) COMPENSATORY FLOOD STORAGE – a volume not previously used for flood storage, shall have an unrestricted hydraulic connection to the same waterway or water body, and, with respect to waterways, shall be provided within the same reach of the river, stream, or creek. Compensatory flood storage shall be replaced at each elevation where flood storage is lost.
21) CONDITIONS – those requirements set forth in a written permit issued by the Conservation Commission for the purpose of permitting, regulating or prohibiting any activity that removes, fills, dredges or alters an area subject to protection under the Bylaw.
22) CONSERVATION COMMISSION or COMMISSION – that body in Arlington comprised of members lawfully appointed pursuant to M.G.L. c. 40, Section 8C.
23) CREEK – the same as "stream."
24) CUMULATIVE EFFECT – an effect that is significant when considered in combination with other activities that have occurred, are going on simultaneously, or that are likely to occur, whether such other activities have occurred or are contemplated as a separate phase of the same project, such as the build-out of a subdivision or an industrial park, or unrelated but reasonably foreseeable actions, including other development projects that are currently under construction, under review or that may be expected to come forward.
25) DATE OF ISSUANCE – the date a permit, order, or determination is mailed, as evidenced by a postmark, or the date it is hand-delivered.
26) DATE OF RECEIPT – the date of delivery to an office, home or usual place of business by mail or hand delivery.
27) DETERMINATION:
    a. DETERMINATION OF APPLICABILITY – a written finding by the Conservation Commission after a public hearing as to whether a site or the work proposed thereon is subject to the jurisdiction of the Bylaw.
    b. DETERMINATION OF SIGNIFICANCE – a written finding by the Conservation Commission, after a public hearing, that the area on which the proposed work is

to be done or which the proposed work will alter is significant to one or more of the interests identified in and protected by the Bylaw and these regulations.

c. NOTIFICATION OF NONSIGNIFICANCE – a written finding by the Conservation Commission, after a public hearing, that the area on which proposed work is to be done, or which the proposed work will alter, is not significant to any of the interests of the Bylaw.

28) DBH ("Diameter at Breast Height") – the diameter (in inches) of the trunk of a tree (or, for multiple trunk trees, the aggregate diameters of the multiple trunks) measured 4 ½ feet from the existing grade at the base of the tree.
29) DREDGE – to deepen, widen or excavate, either temporarily or permanently.
30) DROUGHT – a period of abnormally dry weather long enough to cause a serious hydrological imbalance.
31) EXTENSION PERMIT – a written extension of time within which the authorized work shall be completed.
32) EXTREME HEAT – a Heat Advisory from the National Weather Service, issued when the heat index is forecasted to exceed 100°F for two or more hours.
33) EXTREME WEATHER EVENT – weather at the extremes of the historical distribution lying in the outermost 10 percent of a place's history, including but not necessarily limited to droughts, high winds and microbursts, blizzards and ice storms, excessive precipitation, wildfires, tornadoes, and severe thunderstorms or hurricanes.
34) FILL - To deposit any material so as to raise the elevation of land surface or ground, either temporarily or permanently.
35) FLOOD CONTROL – the prevention or reduction of flooding and flood damage, both as currently expected to occur and as projected to occur based on the best available data regarding the impacts of climate change.
36) GROUNDWATER – all subsurface water contained in natural geologic formations or artificial fill including soil water in the zone of aeration. Activities within 100 feet of resource areas shall not significantly alter the existing quality or elevation of naturally occurring groundwater.
37) IMMINENT RISK TO PUBLIC HEALTH AND SAFETY – means the vegetation is an imminent risk to public health or safety or property as confirmed in writing and submitted to the Commission by the Arlington Tree Warden, Fire Department Representative, Public Safety Officer, or a certified arborist.
38) IMPACTS OF CLIMATE CHANGE – mean, but are not necessarily limited to, (i) extreme heat (ii) the timing, frequency, intensity, and amount of precipitation, (iii) storm surges and rising water levels, (iv) increased intensity and/or frequency of storm events or extreme weather events, and (v) frequency, intensity and duration of droughts.
39) IN or WITHIN an area subject to protection under the Bylaw means in, through, under, over, cantilevered over, shading; does not require physical touching of said area subject to protection. With respect to structures, "In" is measured from the drip-line of the roof or foundation or footing, whichever is closer to the resource area.

40) INTERESTS IDENTIFIED IN THE BYLAW – those interests specified in Section 1 of the Bylaw and Section 1(B) of these regulations. Also called Bylaw Interests or Resource Area Values.
41) ISSUING AUTHORITY – the Arlington Conservation Commission.
42) LAND SUBJECT TO FLOODING OR INUNDATION – the land within the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm; said boundary shall be that determined by reference to the most recently available flood profile data prepared for Arlington within which the work is proposed under the National Flood Insurance Program ("NFIP"). Where NFIP data are unavailable or deemed by the Commission to be outdated or inaccurate or not reflecting current conditions, the boundary of said land shall be based on the maximum lateral extent of flood water which has been observed or recorded, or other evidence presented and considered by the Commission. Said land shall also include isolated areas which frequently or seasonably hold standing water; such areas may or may not be characterized by wetland vegetation or soil characteristics.
43) LAKE – any open body of fresh water with a surface area of 10 acres or more, and shall include great ponds.
44) LAND SUBJECT TO FLOODING – defined in Section 23.
45) LAND UNDER WATER BODIES AND WATERWAYS – the bottom of or land under the surface of a creek, river, stream, pond or lake. Land under water bodies is further defined in Section 22.
46) LOT – an area of land in one ownership, with definite boundaries. When an area of land is comprised of more than one lot, the lots share a common boundary and are owned or controlled by the same entity or individual(s), and the lots combined are used for the same purpose or enterprise, the Commission may consider the lots as a single LOT.
47) MARSH, FRESHWATER WETLAND, SWAMP, WET MEADOW, BOG – defined in Section 21.
48) MEADOW (or WET MEADOW) – defined in Section 21.
49) NOAA ATLAS 14 – precipitation frequency data compiled by NOAA, used in evaluation/planning for flood storage capacity and other extreme precipitation measures; NOAA 14 = mid-range of 90% confidence interval (current conditions); NOAA 14+ = 0.9 x upper bound of 90% confidence interval (2030 projected); NOAA 14++ = upper bound of 90% confidence interval (2070 projected).
50) NOTICE OF INTENT – the written notice filed by any person intending to remove, fill, dredge or alter an area subject to protection under the Massachusetts Wetlands Protection Act, M.G.L. c. 131, Section 40, or the Bylaw, or both.
51) ORDER – an order of conditions, superseding order or final order, whichever is applicable, issued pursuant to M.G.L. c. 131, Section 40 or the Bylaw, or both.
52) OWNER OF LAND ABUTTING THE ACTIVITY – the owner of land sharing a common boundary or corner with the site of the proposed activity in any direction, including land located directly across a street, way, creek, river, stream, brook or canal.

53) PERMIT – the document issued by the Conservation Commission pursuant to this Bylaw which allows work in accordance with conditions set by the Commission in the resource areas protected by this Bylaw; also see "Order" in this definition section.
54) PERMIT DENIAL – the document issued by the Conservation Commission pursuant to the Bylaw which disallows proposed work.
55) PERSON – any individual, group of individuals, associations, partnerships, corporations, business organizations, trust, estate, Commonwealth of Massachusetts when subject to town Bylaws, any public or quasi-public corporation or body when subject to town Bylaws or any other legal entity, including the Town of Arlington or its legal representative, agents or assigns.
56) PERSON AGGRIEVED – any person who, because of an act of failure to act by the Conservation Commission, may suffer an injury in fact which is different either in kind or magnitude from that suffered by the general public and which is within the scope of the interests identified in the Bylaw.
57) PLANS – such data, maps, engineering drawings, calculations, specifications, schedules and other materials, if any, deemed necessary by the Conservation Commission to describe the site and/or work to determine the applicability of the Bylaw or to determine the impact of the proposed work upon the interests identified in the Bylaw.
58) POND – any open body of fresh water, either naturally occurring or man-made by impoundment or excavation, which is never without standing water due to natural causes, except in periods of extended drought. For purposes of this definition, extended drought shall mean any period of four or more months during which the average rainfall for each month is 50% or less of the ten-year average for that same month. Basins or lagoons which are part of wastewater treatment plants, swimming pools or other impervious man-made retention basins shall not be considered ponds.
59) PREVENTION OF POLLUTION – the prevention or reduction of chemicals (e.g., nutrients, hydrocarbons, solvents, metals, vapors) known or suspected of causing harm to humans, plants, or animals via exposure to any media (air, water, soil, sediment).
60) PRIVATE WATER SUPPLY – any source or volume of surface or groundwater demonstrated to be in any private use or shown to have potential for private use for domestic purposes.
61) PROJECT LOCUS – the lot on which an applicant proposes to perform an activity subject to regulation under the Bylaw
62) PROJECT SITE – the area within the Project Locus that comprises the limit of work for activities, including but not limited to, the dredging, excavating, filling, grading, the erection, reconstruction or expansion of a building or structure, the driving of pilings, the construction or improvement of roads or other ways, and the installation of drainage, stormwater treatment, environmentally sensitive site design practices, sewage and water systems.
63) PROTECTION OF FISHERIES – protection of the capacity of an area subject to protection under the Bylaw to prevent or reduce contamination or damage to fish and to serve as their habitat and nutrient source.

64) PROTECTION OF WILDLIFE – the protection of any plant or animal species, including but not limited to those listed as endangered, threatened or special concern, or on the Watch List by the Massachusetts Natural Heritage Program; listed as Federally Endangered or Federally Threatened by the U.S. Fish and Wildlife Service; deemed locally threatened, in writing, by the Conservation Commission; and means protection of the ability of any resource area to provide food, breeding habitat, shelter or escape cover and species falling within the definition of wildlife set forth in these regulations.
65) PUBLIC WATER SUPPLY – any source or volume of surface water or groundwater demonstrated to be in public use or approved for water supply pursuant to M.G.L. c. 111, Section 160 by the Division of Water Supply of the Department of Environmental Protection or shown to have a potential for public use.
66) QUORUM – refers the number of Commissioners who must be present before business may be transacted; here, it shall mean a majority of the number of Commissioners then in office.
67) REMOVE – to take away any type of material, thereby changing the elevation of land surface or ground, either temporarily or permanently.
68) REQUEST FOR DETERMINATION OF APPLICABILITY – a written request made by any person to the Conservation Commission for a determination as to whether a site or work thereon is subject to the Bylaw.
69) RESILIENCE – the capacity to prevent, withstand, minimize, respond to, adapt to, and recover from adverse climate change impacts; to build capability and ability of the resource area to minimize and survive negative impacts of climate change to resource area values.
70) RESOURCE AREA – is used synonymously with "area subject to protection under the Bylaw," each one of which is listed in the Bylaw and in Section 2 of these regulations.
71) RESOURCE AREA ENHANCEMENT – with the Commission's prior approval: removal or management of invasive species; removal of man-made debris, garbage, or trash; stabilization of bank or other resource area; or planting of non-invasive species of vegetation.
72) RESOURCE AREA VALUES – collectively, "Resource Area Values" or "Interests of the Bylaw" may include but not be limited to the following: public or private water supply protection; ground water supply protection; flood control; erosion and sedimentation control; storm damage prevention; pollution prevention; protection of surrounding land and other homes or buildings; wildlife, plant, and aquatic species protection; habitat protection; and protection of the natural character or recreational values of the wetland resources.
73) RIVER – any natural flowing body of water that empties to any ocean, lake, pond, reservoir, stream, or other river.
74) RIVERFRONT AREA – the area of land between a river's mean annual high water line and a parallel line measured 200 feet horizontally landward of the mean annual high water line.

75) SIGNIFICANT – shall mean plays a discernable role; e.g., a resource area is significant to an interest identified in the Act when it plays a role in the provisions or protection, as appropriate, of that interest.
76) STORM DAMAGE PREVENTION – measures taken to mitigate the severity and consequence of a storm event on the resource area and the prevention of damage caused by water from storms, as currently occurs and is predicted by best available data to occur from the impacts of climate change, including but not limited to erosion and sedimentation, damage to vegetation, property or buildings or damage caused by flooding, waterborne debris or waterborne ice.
77) STREAM – a body of running water, including brooks and creeks, which moves in a definite channel in the ground due to hydraulic gradient, and includes streamlets and rivulets. A portion of a stream may flow through a culvert or beneath a bridge. Such a body of running water which does not flow throughout the year (i.e., which is intermittent) is a stream.
78) STRUCTURE – means a combination of materials or things arranged or constructed for permanent or temporary occupancy, shelter, or use, such as a building, bridge, trestle, wireless communications facility, tower, rip rap associated with stormwater outfalls, framework, retaining wall, tank, tunnel, tent, shed, stadium, reviewing stand, platform, swimming pool, sports court, shelters, piers, wharves, bin, fence, sign, or the like.
79) TREE REMOVAL – any act that will cause a tree to die within a three-year period.
80) VEGETATED WETLANDS – defined in Section 21.
81) VULNERABILITY (to climate change impacts) – the degree to which a resource area is susceptible to or predisposed to be adversely affected by climate change impacts (including climate variability and extremes); as a function of exposure, sensitivity, and adaptive capacity.
82) WITHIN – see IN above.
83) WILDLIFE – any non-domesticated mammal, bird, reptile, amphibian, fish, mollusk, arthropod or other invertebrate other than a species of the Class insects which has been determined by the Commonwealth of Massachusetts or any agency thereof to be a pest whose protection under the provisions of the Bylaw would be a risk to man.
84) WILDLIFE HABITAT – the area being used by or necessary to provide breeding or nesting habitat, shelter, food and water for any animal species.
85) WORK – shall mean the same as "activity."

Town of Arlington, Massachusetts

Request for Certificate of Compliance

Summary:
Request for Certificate of Compliance: 36 Peabody Road

The project as approved proposed to hardscape and landscape the backyard of a single-family home on a parcel abutting Spy Pond, within the 100-ft Wetlands Buffer and Adjacent Upland Resource Are 7:45pm of Spy Pond. The project was approved on 9/19/2019. The Commission approved a minor plan amendment on 11/21/2019 to allow for 106 square feet of additional hardscaping to be constructed.

ATTACHMENTS:

	Type	File Name	Description
🗋	Request for Certificate of Compliance	36_Peabody_Rd_NOI_redacted.pdf	36 Peabody Rd NOI
🗋	Request for Certificate of Compliance	36_Peabody_NOI_Revised_redacted.pdf	36 Peabody Rd NOI_Revised
🗋	Request for Certificate of Compliance	36_Peabody_NHESP_Response.pdf	36 Peabody Rd NHESP Letter
🗋	Request for Certificate of Compliance	36_Peabody_Request_for_Minor_Plan_Modifications.pdf	36 Peabody Rd Request for Minor Plan Amendment
🗋	Request for Certificate of Compliance	36_Peabody_Revised_Plan_-_Request_for_Minor_Plan_Modifications.pdf	36 Peabody Rd Request for Minor Plan Amendment_Revised Plan
🗋	Request for Certificate of Compliance	RCOC_Letter.jpg	36 Peabody Rd RCOC Letter
🗋	Request for Certificate of Compliance	RCOC_Form_8a.pdf	36 Peabody Rd RCOC Form
🗋	Request for Certificate of Compliance	36_Peabody_As_Built.pdf	36 Peabody RCOC As Built

Property Owners:
Eliza Hatch
Ian Jessen

Narrative
We purchased our new home at 36 Peabody Road just over a year ago. The house had been vacant for over two years. The last inhabitant of the house was a single, elderly woman, and the property leading down to Spy Pond had not been maintained for several years prior to her selling and moving out. As supporters of conservation projects and lovers of the outdoors, our goal for our back yard is to restore it to a more natural state, as well as make it safe, more accessible, and frankly, less of an eye sore.

The section of our property within the jurisdiction of the Conservation Commission is an extremely steep slope down to Spy Pond. The hill has started to erode, so we plan to physically support the hill with walls in a way that will blend in with the other back yards in the vicinity (photos attached of our property and neighboring yards). We have planned for a meandering path down to the water, which will secure the hill behind retaining walls. The pathway will consist of some granite steps, but mostly will be stepping stones. We are mindful of drainage, so we chose stepping stones that will be set in a grassy, dirt, or woodchip path, enabling proper drainage. The walls are 368.29 square feet, the stairs are 136.86 square feet, and the stepping stones are 346.44 square feet.

During the construction, any disturbed areas will be covered with erosion control fabric and replanted. We will plant large numbers of native species (list attached in plans) to control erosion. As there are very few plants on the property now holding in soil, this should help improve drainage on the property, which will mitigate the impacts of adding the impervious surface of adding the walls and few steps and stepping stones. The actual construction of the walls, paths, and steps will be completed entirely by hand, so there will be no heavy machinery driving on sensitive areas close to the pond.

The existing vegetation on the property consists of nearly all invasive or non-native plants (including bittersweet, privet, euonymus alatus, hedera helix). We plan to remove these from the roots up where possible and replace them with native species. Additionally, we took down a diseased blue spruce last year that we will replace with three trees from the Commission-approved list based on the size of the trunk. We also plan to put fencing down the sides of the property, leaving gaps under the fence for wildlife to travel under freely. The planting of native species will help restore natural habitat for the birdlife that frequents the area.

To prevent the return of invasive plants, we plan to have the existing plants removed from the roots up wherever possible during construction. We will be weeding around the new native plants and do maintenance on the project to ensure it remains intact and in good shape.

Our goal is to restore this property to what it once could have looked like, so we and our families can enjoy it for years to come. We look forward to working with you on this project.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands Program

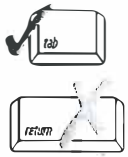
WPA Form 3A - Notice of Intent for an Ecological Restoration Project

MassDEP File Number

City or Town

Project Type

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Check the Ecological Restoration type that applies:

- ☐ 1. Dam Removal
- ☐ 2. Freshwater Stream Crossing Repair and Replacement*
- ☐ 3. Stream Daylighting
- ☐ 4. Tidal Restoration
- ☑ 5. Rare Species Habitat Restoration
- ☐ 6. Restoring Fish Passageways

Eligibility Criteria:

- ☑ I am applying for a Restoration Order of Conditions and meet the General Eligibility Criteria [310 CMR 10.13(1)] as described in Section C1 and the Additional Eligibility Criteria for this Ecological Restoration Project type [310 CMR 10.13(2) through (7)] as described in Section C2.
- ☑ This Notice of Intent includes the required supporting documents as specified in [310 CMR 10.11, 10.12] and outlined in Appendix 1 and Appendix 2 respectively. The NOI also includes a signed Certification of Eligibility in Section G. Signatures and Submittal Requirements.

A. General Information

1. Project Location:

36 Peabody Road
a. Street Address

Arlington
b. City/Town

02476
c. Zip Code

Latitude and Longitude*:

42.41
d. Latitude

71.16
e. Longitude

121.0
f. Assessors Map/Plat Number

0010.0
g. Parcel/Lot Number

2. Applicant:

Eliza
a. First Name

Hatch
b. Last Name

c. Organization

** If the Ecological Restoration Project involves work on a stream crossing, baseline photo-points that capture longitudinal views of the crossing inlet, the crossing outlet and the upstream and downstream channel beds during low flow conditions. The latitude and longitude coordinates of the photo-points shall be included in the baseline data.*

Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands Program

WPA Form 3A - Notice of Intent for an Ecological Restoration Project

MassDEP File Number

City or Town

A. General Information (cont.)

36 Peabody Road
d. Street Address

Arlington | MA | 02476
e. City/Town | f. State | g. Zip Code

h. Phone Number | i. Fax Number | j. Email Address

3. Property Owner (required if different from applicant): ☐ Check and attach list if more than one owner

a. First Name | b. Last Name

c. Organization

d. Street Address

e. City/Town | f. State | g. Zip Code

h. Phone Number | i. Fax Number | j. Email Address

4. Representative (if any):

a. First Name | b. Last Name

c. Organization

d. Street Address

e. City/Town | f. State | g. Zip Code

h. Phone Number | i. Fax Number | j. Email Address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form): Category 2 - $500

a. Total Fee Paid | b. State Fee Paid | c. City/Town Fee Paid

6. Property recorded at the Registry of Deeds for:

South Middlesex
a. County | b. Certificate # (if registered land)

71928 | 368
c. Book | d. Page Number

7. Project Narrative: Describe the project's ecological restoration goals and how it furthers at least one of the interests of the Wetland Protection Act (WPA) M.G.L. c. 131, § 40.
See attached narrative.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands Program

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B. Resource Area Impacts (Temporary & Permanent)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

1. ☐ **Inland Resource Areas**: (See 310 CMR 10.54-10.58)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Bank	1. linear feet	2. linear feet
b. ☑ Bordering Vegetated Wetland	851.59 1. square feet	2. square feet
c. ☐ Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet
d. ☐ Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. ☐ Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. ☐ Riverfront Area	1. Name of Waterway (if available) - **specify inland or coastal**	
2. Proposed alteration of the riverfront area:		a. total square feet

2. ☐ **Coastal Resource Areas:** (see 310 CMR 10.25-10.35)

Check all that apply below. **For coastal riverfront area, see B.1.f. above.**

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet 2. cubic yards dredged	
c. ☐ Barrier Beach**	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☐ Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. ☐ Coastal Dunes**	1. square feet	2. cubic yards dune nourishment

** *Note: No armoring of a Coastal Dune or Barrier Beach is permitted.*

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B. Resource Area Impacts (Temporary & Permanent) (cont.)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
f. ☐ Coastal Banks	1. linear feet	
g. ☐ Rocky Intertidal Shores	1. square feet	
h. ☐ Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. ☐ Land Under Salt Ponds	1. square feet 2. cubic yards dredged	
j. ☐ Land Containing Shellfish	1. square feet	
k. ☐ Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above 1. cubic yards dredged	
l. ☐ Land Subject to Coastal Storm Flowage	1. square feet	

3. ☐ **Restoration/Enhancement**

In addition to the square footage that has been entered in Section B1.b for BVW and B 2.h for Salt Marsh above, please enter the additional amount here for restoration/enhancement.

a. Identify the appropriate resource area(s) type/name	Square feet or linear feet
b. Identify the appropriate resource area(s) type/name	Square feet or linear feet

C. Ecological Restoration Project Description

1. Check each box below to confirm that the project complies with each Eligibility Criteria required to obtain a Restoration Order of Conditions and provide the appropriate documentation.

☑ This project will have no short term or long-term adverse effects on Estimated Habitat sites of Rare Species located within resource areas that may be affected by the project or will be carried out according to a habitat management plan approved by NHESP.

☑ The project avoids and minimizes adverse impacts to Resource Areas and the interests identified in the WPA, without impeding the achievement of the ecological restoration goals

☑ The project will utilize best management practices to prevent and minimize adverse impacts to Resource Areas and the WPA interests.

☑ This Project will cause NO significant adverse effects on the interests of flood control and storm damage prevention in relation to the built environment (i.e., the project will not result in a significant increase in flooding or storm damage affecting buildings, wells, septic systems, roads or other man-made structures or infrastructure) **and** documentation on how this is achieved.

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C. Ecological Restoration Project Description (cont.)

N/A ☐ If the Project involves the dredging of 100 cubic yards of sediment or more or dredging in an ORW, a 401 Water Quality Certification is required and attached. Requires a 401 Water Quality Certification.

☑ The Project will not substantially reduce the capacity of a Resource Area to serve the wildlife habitat functions identified in 310 CMR 10.60(2). A project will be **presumed** to meet this eligibility criteria if the NOI will be carried out in accordance with any Time of Year (TOY) restrictions or other conditions recommended by the DMF for coastal waters, and by the DFW for inland waters in accordance with 310 CMR 10.11(3), (4) and (5). A NOI for an Ecological Restoration Project that meets the requirements of 310 CMR 10.12(1) and (2) it ***is exempt from performing a wildlife habitat evaluation.***

N/A ☐ If the project involves work on a **stream crossing**, the stream crossing has been designed in accordance with 310 CMR 10.24(10) for work in coastal resource areas and 310 CMR 10.53(8) for work in inland resource areas, as applicable. See additional requirements below for Freshwater Stream Crossing Repair and Replacement Projects.

N/A ☐ The project will not result in a discharge of dredged or fill material within 400 feet of the high water mark of a Class A surface water (exclusive of its tributaries) unless the project is conducted by a public water system under 310 CMR 22.00 or a public agency or authority for the maintenance or repair of existing public roads or railways in accordance with 314 CMR 4.06(1)(d)1.

N/A ☐ The project will not result in a discharge of dredged or fill material to a vernal pool certified by the Massachusetts Division of Fisheries and Wildlife (DFW).

☑ The project will not result in a point source discharge to an Outstanding Resource Water.

☑ The project will not involve the armoring of a Coastal Dune or Barrier Beach.

☑ Describe in detail the project plan for invasive species prevention and control.

☐ Provide any TOY restrictions and/or other conditions recommended by the Division of Marine Fisheries or the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3), (4) and (5) with attached copies of their written determinations.

N/A ☐ If the project involves the construction, repair, replacement or expansion of infrastructure, a proposed operation and maintenance plan is provided to ensure that the infrastructure will continue to function as designed;

2. Check each box as appropriate to confirm that the project complies with the Eligibility Criteria required for this Ecological Restoration Project type.

Dam Removal

☐ The Ecological Restoration Project is a dam removal project. The project meets the eligibility criteria set forth in 310 CMR 10.13(1)(d).

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C. Ecological Restoration Project Description (cont.)

- ☐ The Project is consistent with the MassDEP guidance entitled *Dam Removal and the Wetlands Regulations*, dated December 2007, and meets the eligibility criteria set forth in 310 CMR 10.13(1).
- ☐ The Project is NOT consistent with MassDEP's guidance entitled Dam Removal and the Wetlands Regulations, dated December 2007 and meets the eligibility criteria set forth in 310 CMR 10.13(1).
- ☐ The project will not involve the removal of a dam that was constructed or is managed for flood control by a municipal, state or federal agency.
- ☐ The project will not adversely impact public water supply wells or water withdrawals permitted or registered under the Water Management Act, M.G.L. c. 21G, and 310 CMR 36.00 within the reach of the stream impacted by the impoundment.
- ☐ The project will not adversely impact private water supply wells including agricultural or aquacultural wells or surface water withdrawal points.
- ☐ The project provides for the removal of the full vertical extent of the dam such that no remnant of the dam will remain at or below the streambed as determined prior to commencement of the dam removal project, or if such determination cannot be made at that time, as determined during construction of the project.
- ☐ The project provides for the removal of enough of the horizontal extent of the dam such that after removal no water will be impounded during the 500 year flood event.
- ☐ The project will not involve a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license.
- ☐ The applicant has obtained from the Department of Conservation and Recreation Office of Dam Safety a written determination in accordance to the General Applicability requirements prior to submitting this NOI.
- ☐ If the project is exempt from the requirement to obtain a license or permit under 310 CMR 9.05(3)(n), the project will not have an adverse effect on navigation or on any docks, piers or boat ramps authorized under 310 CMR 9.00.

Freshwater Stream Crossing Repair and Replacement (310 CMR 10.13(3))

- ☐ The Ecological Restoration Project is a freshwater stream crossing repair or replacement project. In addition to the eligibility criteria set forth in 310 CMR 10.13(1), the project meets all of the following eligibility criteria that will meet the MA Stream Crossing (SC) Standards that is completely described below or in the attached:
  - ☐ The width of the structure will be at least 1.2 times bankfull width to facilitate the movement of fish and other aquatic organisms and wildlife species that may utilize riparian corridors.
  - ☐ The structure will be an open-bottom span where practicable or if an open-bottom span is not practicable, the structure bottom will be embedded in a substrate that matches the substrate of the stream channel and that shall be designed to maintain continuity of aquatic and benthic elements of the stream including appropriate substrates and hydraulic characteristics within the culvert (water depths, slope, turbulence, velocities, and flow patterns).

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C. Ecological Restoration Project Description (cont.)

- ☐ The structure will have an Openness Ratio of at least 0.82 feet, or as close to 0.82 feet as is practicable.
- ☐ The project includes considerations for site constraints in meeting the SC standards, undesirable effects or risk in meeting the standard, the environmental benefit of meeting the standard compared to the cost in evaluating:
  - ☐ The potential for downstream flooding
  - ☐ Upstream and downstream habitat (in-stream habitat, wetlands);
  - ☐ Potential for erosion and head-cutting;
  - ☐ Stream stability;
  - ☐ Habitat fragmentation caused by the crossing;
  - ☐ The amount of stream mileage made accessible by the improvements;
  - ☐ Storm flow conveyance;
  - ☐ Engineering design constraints specific to the crossing;
  - ☐ Hydrologic constraints specific to the crossing;
  - ☐ Impacts to wetlands that would occur by improving the crossing;
  - ☐ Potential to affect property and infrastructure; and
  - ☐ Cost of replacement.

Stream Daylighting

- ☐ The Ecological Restoration Project is a stream daylighting project. In addition to the eligibility criteria set forth in 310 CMR 10.13(1), the project meets all of the following eligibility criteria and is completely described narrative below/attached:
  - ☐ The project will meet the applicable performance standards for Bank, 310 CMR 10.54, and Land Under Water Bodies and Waterways, 310 CMR 10.56. As set forth in 10.12(3), a person submitting a Notice of Intent that meets the requirements of 310 CMR 10.12 (1) and (2) for a stream daylighting project is exempt from the requirement to perform a wildlife habitat evaluation in accordance with 310 CMR 10.60, notwithstanding the provisions of 310 CMR 10.54(4)(a)5., 310 CMR 10.56(4)(a)4., and 310 CMR 10.60.
  - ☐ To the maximum extent practicable, the project is designed to include the revegetation of all disturbed areas with noninvasive indigenous species appropriate to the site.

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C. Ecological Restoration Project Description (cont.)

Tidal Restoration Project (310 CMR 10.13(5))

☐ The Ecological Restoration Project is a Tidal Restoration Project designed to restore tidal flow that has been restricted or blocked by a man-made structure. In addition to the eligibility criteria set forth in 310 CMR 10.13(1), the project meets all of the following eligibility criteria that is completely described below or in the attached:

- ☐ If the project will involve work in a Coastal Dune and/or a Coastal Beach, the project meets the applicable performance standard(s) at 310 CMR 10.27 and/or 10.28.
- ☐ The project will not include a new or relocated tidal inlet/breach through a Barrier Beach or additional armoring of a Barrier Beach, but may include the modification, replacement or enlargement of an existing culvert or inlet through a Barrier Beach.
- ☐ The project will not involve installation of new water control devices (i.e., tide gates, flash boards and adjustable weirs) or a change in the management of existing water control devices, when the existing or proposed function of said devices is to prevent flooding or storm damage impacts to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.
- ☐ The project's physical specifications are compatible with passage requirements for diadromous fish runs identified at the project location by the Division of Marine Fisheries.
- ☐ Did the project include considerations for site constraints in meeting the SC standards, undesirable effects or risk in meeting the standard, the environmental benefit of meeting the standard compared to the cost in evaluating:
  - ☐ The potential for downstream flooding
  - ☐ Upstream and downstream habitat (in-stream habitat, wetlands);
  - ☐ Potential for erosion and head-cutting;
  - ☐ Stream stability;
  - ☐ Habitat fragmentation caused by the crossing;
  - ☐ The amount of stream mileage made accessible by the improvements;
  - ☐ Storm flow conveyance;
  - ☐ Engineering design constraints specific to the crossing;
  - ☐ Hydrologic constraints specific to the crossing;
  - ☐ Impacts to wetlands that would occur by improving the crossing;
  - ☐ Potential to affect property and infrastructure; and

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C. Ecological Restoration Project Description (cont.)

☐ Cost of replacement.

Rare Species Habitat Restoration (310 CMR 10.13(6))

☐ The Ecological Restoration Project is a Rare Species habitat restoration project. In addition to the eligibility criteria set forth in 310 CMR 10.13(1), the project meets all of the following eligibility criteria that is completely described below or in the attached:

☐ The project is exempt from review under 321 CMR 10.00 as a project that involves the active management of Rare Species habitat for the purpose of maintaining or enhancing the habitat for the benefit of Rare Species. A project that involves the active management of Rare Species habitat and is exempt from review under 321 CMR 10.00 may include without limitation the mowing, cutting, burning or pruning of vegetation or the removal of exotic or invasive species.

☐ The project is carried out in accordance with a Habitat Management Plan that has been approved in writing by the Natural Heritage and Endangered Species Program and submitted with this Notice of Intent.

Restoring Fish Passageways (310 CMR 10.13(7))

☐ The Ecological Restoration Project involves the restoration or repair of a fish passageway as identified by the Division of Marine Fisheries in its Marine Fisheries Technical Reports, TR 15 through 18, dated 2004. In addition to the eligibility criteria set forth in 310 CMR 10.13(1), the project meets all of the following eligibility criteria that is completely described below or in the attached:

☐ Proof of submission of a Fishway Permit Application to the Division of Marine Fisheries, pursuant to M.G.L. c. 130, §§ 1 and 19, and 322 CMR 7.01(4)(f) and (14)(m); and

☐ The fish passageway will be operated and maintained in accordance with an Operation and Maintenance Plan approved by the Division of Marine Fisheries.

D. Other Applicable Standards and Requirements

A person submitting a Notice of Intent for an Ecological Restoration Project that meets the requirements of 310 CMR 10.12(1) and (2) and that contains either a written determination from the Natural Heritage Endangered Species Program (NHESP) that the project will have no short or long term adverse effects on the habitat of the local population of state-listed species, or a Conservation and Management Permit issued by NHESP pursuant to the Massachusetts Endangered Species Act (MESA) Regulations at 321 CMR 10.00 for the project, or a habitat management plan for the project approved in writing by NHESP, will be deemed to have satisfied the requirements in 310 CMR 10.37 and 310 CMR 10.59 of sending the Notice of Intent for the same project for a determination by NHESP. For the purposes of this guidance, the "same project" means either there have been no changes to the project reviewed by NHESP in making its determination or that any subsequent changes to the project since the initial review by NHESP have been reviewed and approved in writing by NHESP.

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D. Other Applicable Standards and Requirements (cont.)

Compliance with the above NHESP-related requirements may be demonstrated by providing the following applicable documentation. See Appendix 1 for a complete description of these requirements. Check the applicable box below.

☑ The project is not within Estimated Habitat of State-Listed Rare Wetlands Wildlife as shown on the most recent Estimated Habitat Maps of State-Listed Rare Wetlands Wildlife published by the Natural Heritage and Endangered Species Program.

In process ☐ The NHESP has issued the attached written determination that the project will have no short or long term adverse effects on the habitat of the local population of state-listed species.

In process ☐ The NHESP has issued the attached written approval of the attached habitat management plan for this project, which makes it an eligible Rare Species habitat restoration project under 310 CMR 10.13(6).

In process ☐ The NHESP has issued pursuant to the MESA Regulations at 321 CMR 10.00 the attached Conservation and Management Permit for this project.

In process ☐ There have been no changes to the project reviewed by NHESP in making its determination, or if so, any subsequent changes to the project have been reviewed and approved in writing by NHESP and attached hereto.

1. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

   a. ☑ Not applicable – project is in inland resource area only

   b. ☐ Yes ☐ No

   If yes, include proof of mailing, hand delivery, or electronic delivery of written determination to either:

   South Shore – Cohasset to Rhode Island border, and the Cape & Islands:
   Division of Marine Fisheries –
   South Coast Field Station
   Attn: Environmental Reviewer
   1213 Purchase Street – 3rd Floor
   New Bedford, MA 02740-6694
   Email: DMF.EnvReview-South@state.ma.us

   North Shore – Hull to New Hampshire border:
   Division of Marine Fisheries –
   North Shore Field Station
   Attn: Environmental Reviewer
   30 Emerson Avenue
   Gloucester, MA 01930
   Email: DMF.EnvReview-North@state.ma.us

2. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

   a. ☐ Yes ☑ No

   If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP website for ACEC locations).

   b. ACEC

3. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

   a. ☐ Yes ☑ No

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D. Other Applicable Standards and Requirements (cont.)

4. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

   a. ☐ Yes ☑ No

5. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

   a. ☐ Yes ☑ No

   If yes, attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

   ☐ Proprietary BMPs are included in the Stormwater Management System.

N/A 6. ☐ If the Ecological Restoration Project involves the construction, repair, replacement or expansion of infrastructure, an operation and maintenance plan has been submitted to ensure that the infrastructure will continue to function as designed.

7. ☐ The project involves the dredging of 100 cubic yards or more of sediment, or dredging of any amount in an Outstanding Resource Water, and a Water Quality Certification issued by the Department pursuant to 314 CMR 9.00 is attached.

8. ☐ The Ecological Restoration Project involves work on a stream crossing. Sufficient information has been provided to demonstrate that the design meets the requirements in 310 CMR 10.24(10) for work in coastal resources, and 310 CMR 10.53 (8) for work in an inland resource area.

E. Additional Information

Check each box for required documents that are attached to this Notice of Intent (NOI). See instructions for details.

1. ☑ Maps and Plans identifying the location of proposed activities relative to the boundaries of each affected resource area [http://www.mass.gov/anf/research-and-tech/it-serv-and-support/application-serv/office-of-geographic-information-massgis/datalayers/nwi.html]

2. ☑ List the titles and dates for all plans and other materials submitted with this NOI.

Hatch-Jessen Back Yard Hardscape 3_11_19		
a. Plan Title		
Rue Sherwood	Rue Sherwood	
b. Prepared By	c. Signed and Stamped by	
3/11/19	1/8" = 1'	
d. Final Revision Date	e. Scale	
Hatch-Jessen Back Yard Planting 3_11_19		3/11/19
f. Additional Plan or Document Title		g. Date

In process 3. ☐ Attach proof of Natural Heritage and Endangered Species Program written determination, if needed.

N/A 4. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries Time of Year written determination, if needed.

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E. Additional Information (cont.)

5. ☑ Attach NOI Wetland Fee Transmittal Form.

6. ☐ Attach Stormwater Report, if needed.

F. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

   Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor Name on Check: First Name

7. Payor Name on Check: Last Name

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G. Signatures and Submittal Requirements

Certification of Ecological Restoration Project Notice of Intent

I hereby certify under penalties of perjury that **the Ecological Restoration Project Notice of Intent application meets the Eligibility Criteria set forth in 310 CMR 10.13.** I also certify that I am familiar with the information contained in this Notice of Intent application and that the accompanying plans, documents, and supporting data are to the best of my knowledge and belief true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.

I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant or Authorized Agent

2. Printed Name of Applicant or Authorized Agent: ELIZA HATCH

3. Date: 6/5/19

4. Signature of Property Owner (if different)

5. Date

6. Signature of Representative (if any)

7. Date

The certification must be signed by the applicant; however, it may be signed by a duly authorized agent (named in Item 6) if this form is accompanied by a statement by the applicant designating the agent and agreeing to furnish upon request, supplemental information in support of the application

For Conservation Commission:
Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:
One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:
The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

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Appendix 1: Ecological Restoration Notice of Intent (WPA 3a) - Required Actions (310 CMR 10.11)

Complete the Required Actions before submitting a Notice of Intent Application for an Ecological Restoration Project and submit a completed copy of this Checklist with the Notice of Intent.

☑ **Environmental Monitor /Massachusetts Environmental Policy Act (MEPA)**
http://www.mass.gov/eea/agencies/mepa/submitting-notices-to-the-environmental-monitor.html

☑ Submit written notification at least 14 days **prior** to the filing of a Notice of Intent (NOI) to the *Environmental Monitor* for publication. A copy of the written notification is attached and provides at minimum:

- ☑ A brief description of the proposed project.
- ☑ The anticipated NOI submission date to the conservation commission.
- ☑ The name and address of the conservation commission that will review the NOI.
- ☑ Specific details as to where copies of the NOI may be examined or acquired **and** where to obtain the date, time, and location of the public hearing.

In progress ☐ **Massachusetts Endangered Species Act (MESA) /Wetlands Protection Act Review**

☐ Preliminary Massachusetts Endangered Species Act Review from the Natural Heritage and Endangered Species Program (NHESP) has been met and the written determination is attached.

☐ Supplemental Information for Endangered Species Review has been submitted.

1. ☐ Percentage/acreage of property to be altered:
   a. Within Wetland Resource Area _____ Percentage/acreage
   b. Outside Wetland Resource Area _____ Percentage/acreage
2. ☐ Assessor's Map or right-of-way plan of site
3. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work.
4. ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)
5. ☐ Photographs representative of the site
6. ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm)

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Appendix 1: Ecological Restoration Notice of Intent (WPA 3a) - Required Actions (310 CMR 10.11)

Make check payable to "Commonwealth of Massachusetts - NHESP" and mail to NHESP:

Natural Heritage & Endangered Species Program
MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

7. Projects altering 10 or more acres of land, also submit:

   a. ☐ Vegetation cover type map of site

   b. ☐ Project plans showing Priority & Estimated Habitat boundaries

OR Check One of the Following:

1. ☐ Project is exempt from MESA review.

Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59 – see C4 below)

2. ☑ Separate MESA review ongoing.

   a. NHESP Tracking # _____ b. Date submitted to NHESP 6/3/19

3. ☐ Separate MESA review completed. Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

☐ **Estimated Habitat Map of State-Listed Rare Wetlands Wildlife**

If a portion of the proposed project is located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP), complete the portion below. To view habitat maps, see the **Massachusetts Natural Heritage Atlas** or view the maps electronically at: http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review

☐ A preliminary written determination from Natural Heritage and Endangered Species Program (NHESP) must be obtained indicating that:

- ☐ Project will NOT impact an area located within estimated habitat indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife published by *NHESP*.
- ☐ Project will impact an area located within estimated habitat indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife published by NHESP. A copy of NHESP's written preliminary determination in accordance with 310 CMR 10.11(2) is attached. This specifies:
  - ☐ Date of the map: _____

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Appendix 1: Ecological Restoration Notice of Intent (WPA 3a) - Required Actions (310 CMR 10.11)

☐ If the Rare Species identified is/are likely to continue to be located on or near the project, and if so, whether the Resource Area to be altered is in fact part of the habitat of the Rare Species.

☐ That if the project alters Resource Area(s) within the habitat of a Rare Species:

☐ The Rare Species is identified;

☐ NHESP's recommended changes or conditions necessary to ensure that the project will have **no** short or long term adverse effect on the habitat of the local population of the Rare Species is provided; **or**

☐ An approved NHESP habitat management plan is attached with this Notice of Intent.

Send the request for a preliminary determination to:
Natural Heritage & Endangered Species Program
MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

☐ **Division of Marine Fisheries**

☐ If the project will occur within a coastal waterbody with a restricted Time of Year, [see Appendix B of the Division of Marine Fisheries (DMF) Technical Report TR 47 "Marine Fisheries Time of Year Restrictions (TOYs) for Coastal Alteration Projects" dated April 2011 http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/NEGP/MADMFTR-47.pdf].

☐ Obtain a DMF written determination stating:

☐ The proposed work does NOT require a TOY restriction.

☐ The proposed work requires a TOY restriction. Specific recommended TOY restriction and recommended conditions on the proposed work is attached.

☐ If the project may affect a diadromous fish run [re: Division of Marine Fisheries (DMF) Technical Reports TR 15 through 18, dated 2004: http://www.mass.gov/eea/agencies/dfg/dmf/publications/technical.html]

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☐ Obtain a DMF written determination stating:

☐ The design specifications and operational plan for the project are compatible with the passage requirements of the fish run.

☐ The design specifications and operational plan for the project are not compatible with the passage requirements of the fish run.

Send the request for a written determination to:

South Shore – Cohasset to Rhode Island border, and the Cape & Islands:
Division of Marine Fisheries –
South Coast Field Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF_EnvReview.South@state.ma.us

North Shore – Hull to New Hampshire border:
Division of Marine Fisheries –
North Shore Field Station
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF_EnvReview.North@state.ma.us

☐ **Division of Fisheries and Wildlife –** http://www.mass.gov/eea/agencies/dfg/dfw/

☐ Projects that involve silt-generating, in-water work that will impact a non-tidal perennial river or stream and the in-water work will ***not*** occur between May 1 and August 30.

☐ Obtain a written determination from the Division of Fisheries and Wildlife (DFW) as to whether the proposed work requires a TOY restriction.

☐ The proposed work does NOT require a TOY restriction.

☐ The proposed work requires a TOY restriction. The DFW determination with TOY restriction and other conditions is attached.

☐ **MassDEP Water Quality Certification**

☐ Project involves dredging of 100 cubic yards or more in a Resource Area or dredging of any amount in an Outstanding Resource Water (ORW). A copy and proof of the MassDEP Water Quality Certification pursuant to 314 CMR 9.00 is attached to the NOI.

☐ This project is a Combined Permit Application for 401 Dredging and Restoration (BRP WW 26).

☐ **MassDEP Wetlands Restriction Order**

Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

☐ Yes ☐ No

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Appendix 1: Ecological Restoration Notice of Intent (WPA 3a) - Required Actions (310 CMR 10.11)

☐ **Department of Conservation and Recreation**

Office of Dam Safety

☐ For Dam Removal Projects, obtain a written determination from the Department of Conservation and Recreation Office of Dam Safety that the dam is not subject to the jurisdiction of the Office under 302 CMR 10.00, a written determination that the dam removal does not require a permit under 302 CMR 10.00 or a permit authorizing the dam removal in accordance with 302 CMR 10.00 has been issued.

Areas of Critical Environmental Concern (ACECs)

Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

☐ Yes ☑ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations).

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Appendix 2: Ecological Restoration Notice of Intent (WPA 3a) - Minimum Required Documents (310 CMR 10.12)

Complete the Required Documents Checklist below and provide supporting materials before submitting a Notice of Intent Application for an Ecological Restoration Project.

☑ This Notice of Intent meets all applicable requirements outlined in for Ecological Restoration Projects in 310 CMR 10.12. Use the checklist below to insure that all documentation is included with the NOI.

At a minimum, a Notice of Intent for an Ecological Restoration Project shall include the following:

☑ Description of the project's ecological restoration goals;

☑ The location of the Ecological Restoration Project;

☑ Description of the construction sequence for completing the project;

☑ A map of the Areas Subject to Protection Under M.G.L. c. 131, § 40, that will be temporarily or permanently altered by the project or include habitat for Rare Species, Habitat of Potential Regional and Statewide Importance, eel grass beds, or Shellfish Suitability Areas.

☑ The method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.) is attached with documentation methodology.

☑ List the titles and dates for all plans and other materials submitted with this NOI.

Hatch-Jessen Back Yard Hardscape 3_11_19
a. Plan Title

Rue Sherwood
b. Prepared by

Rue Sherwood
c. Signed and Stamped by

3/11/19
d. Final Revision Date

1/8" = 1'
e. Scale

Hatch-Jessen Back Yard Planting 3_11_19
f. Additional Plan or Document Title

3/11/19
g. Date

☑ If there is more than one property owner, attach a list of these property owners not listed on this form.

☑ Attach NOI Wetland Fee Transmittal Form.

☑ An evaluation of any flood impacts that may affect the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure as well as any proposed flood impact mitigation measures;

☑ A plan for invasive species prevention and control;

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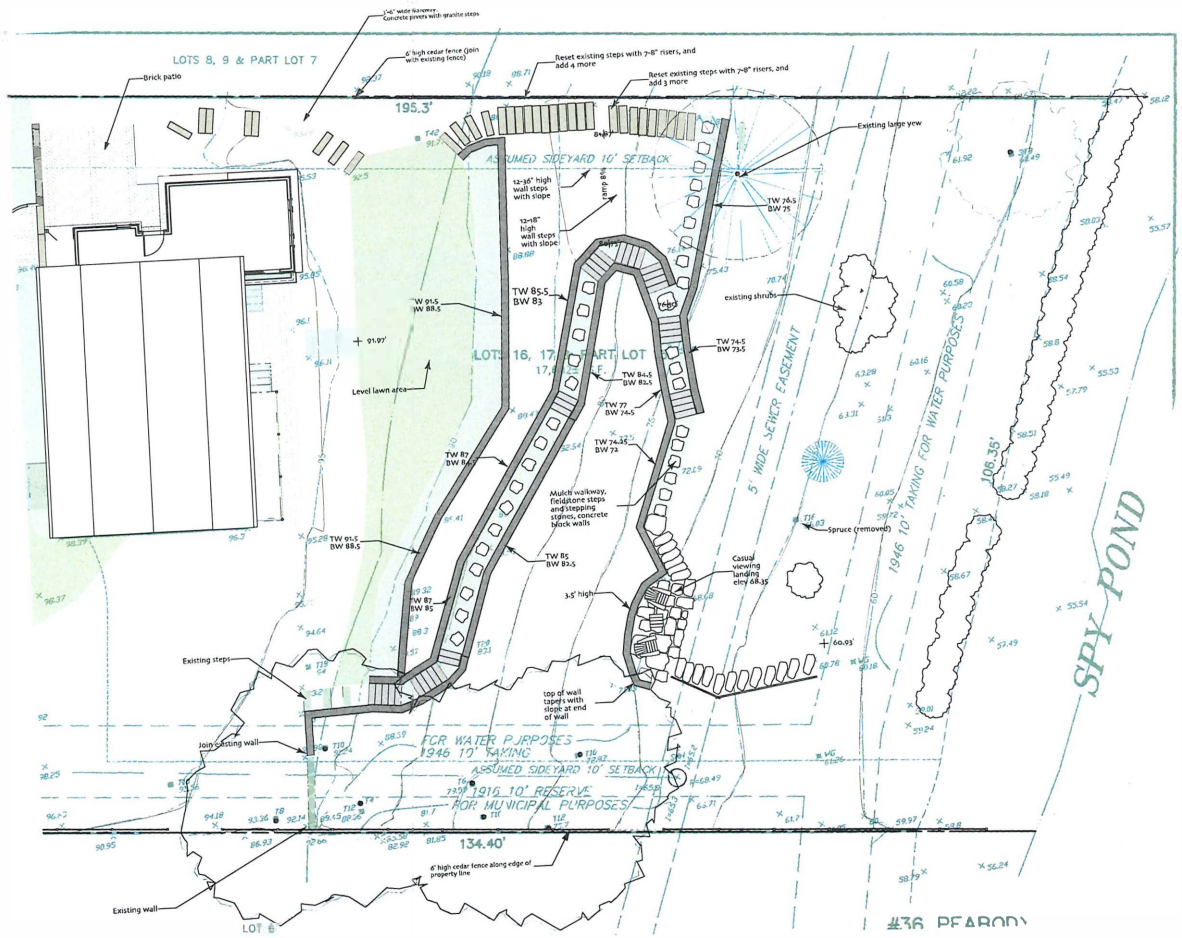
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Appendix 2: Ecological Restoration Notice of Intent (WPA 3a) - Minimum Required Documents (310 CMR 10.12)

- ☐ The Natural Heritage and Endangered Species Program written determination in accordance with 310 CMR 10.11(2), if needed;
- ☐ Any Time of Year restrictions and/or other conditions recommended by the Division of Marine Fisheries or the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3), (4), (5), if needed;
- ☑ Proof that notice was published in the *Environmental Monitor* as required by 310 CMR 10.11(1;
- ☑ A certification by the applicant under the penalties of perjury that the project meets the eligibility criteria set forth in 310 CMR 10.13;
- ☐ If the Ecological Restoration Project involves the construction, repair, replacement or expansion of infrastructure, an operation and maintenance plan to ensure that the infrastructure will continue to function as designed;
- ☐ If the project involves dredging of 100 cubic yards or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification issued by the Department pursuant to 314 CMR 9.00;
- ☐ If the Ecological Restoration Project involves work on a stream crossing, information sufficient to make the showing required by 310 CMR 10.24(10) for work in a coastal resource area and 310 CMR 10.53(8) for work in an inland resource area; and
- ☐ If the Ecological Restoration Project involves work on a stream crossing, baseline photo-points that capture longitudinal views of the crossing inlet, the crossing outlet and the upstream and downstream channel beds during low flow conditions. The latitude and longitude coordinates of the photo-points shall be included in the baseline data.
- ☐ This project is subject to provisions of the MassDEP Stormwater Management Standards. A copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) is attached.
- ☐ Provide information as the whether the project has the potential to impact private water supply wells including agricultural or aquacultural wells or surface water withdrawal points.



Notes:
Minimize disturbance during construction of walls.
Leave existing turf undisturbed wherever possible.
Cover disturbed areas with erosion control fabric.
Insert plants into holes cut in erosion control fabric or existing turf on all steep areas.

Scale: 1/8"=1'0"

0 4 8 13 16 FT

Updated 3/11/19

Rue Sherwood Landscape Design, LLC
225 Argilla Rd
Ipswich, MA 01938
www.ruesherwood.com
ruesherwood@gmail.com
978-500-3131

Eliza Hatch & Ian Jessen
36 Peabody Rd
Arlington, MA

Back Yard Hardscape Plan

2/14/19



PLANT LIST

QTY	LATIN NAME	COMMON NAME	SCHEDULED SIZE
CONIFERS			
21	Juniperus communis 'Blueberry Delight'	Blueberry Delight Juniper	#3 - #5
TREES			
2	Betula nigra	River Birch	3-4" ht
1	Liriodendron tulipifera	Tulip Tree	2-2.5" CAL
SHRUBS			
22	Aronia arbutifolia 'Brilliantissima'	Brilliantissima Chokeberry	#3
12	Ceanothus americanus	New Jersey Tea	#2 - #3
30	Comptonia peregrina	Sweetfern	#1 - #3
13	Cornus racemosa	Gray Dogwood	#2 - #3
43	Diervilla lonicera	Bush Honeysuckle	#1 - #3
1	Hamamelis virginiana	Witch Hazel	#7
18	Myrica pensylvanica	Northern Bayberry	#2 - #3
28	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	#1 - #3
32	Rosa virginiana	Virginia Rose	#1 - #3
5	Vaccinium corymbosum	Highbush Blueberry	#3
PERENNIALS			
74	Amsonia hubrichtii	Bluestarwort	#1
5	Asclepias incarnata	Swamp Milkweed	1 GT
11	Aster oblongifolium, 'October Skies'	October Skies Aster	1 GT
18	Chasmanthium latifolium	Northern Sea Oats	#1
16	Solidago rugosa 'Fireworks'	Fireworks Goldenrod	#1
39	Sporobolus heterolepis	Prairie Dropseed	#1

Notes:
Minimize disturbance during construction of walls, leave existing turf undisturbed wherever possible, cover disturbed areas with erosion control fabric, insert plants into holes cut in erosion control fabric or existing turf on all steep areas.

Scale: 1/8"=1'-0"
0 4 8 12 16 FT

Updated 3/7/19

Rue Sherwood Landscape Design, LLC
225 Argilla Rd
Ipswich, MA 01938
www.ruesherwood.com
ruesherwood@gmail.com
978-500-3131

Eliza Hatch & Ian Jessen
36 Peabody Rd
Arlington, MA

Planting Plan

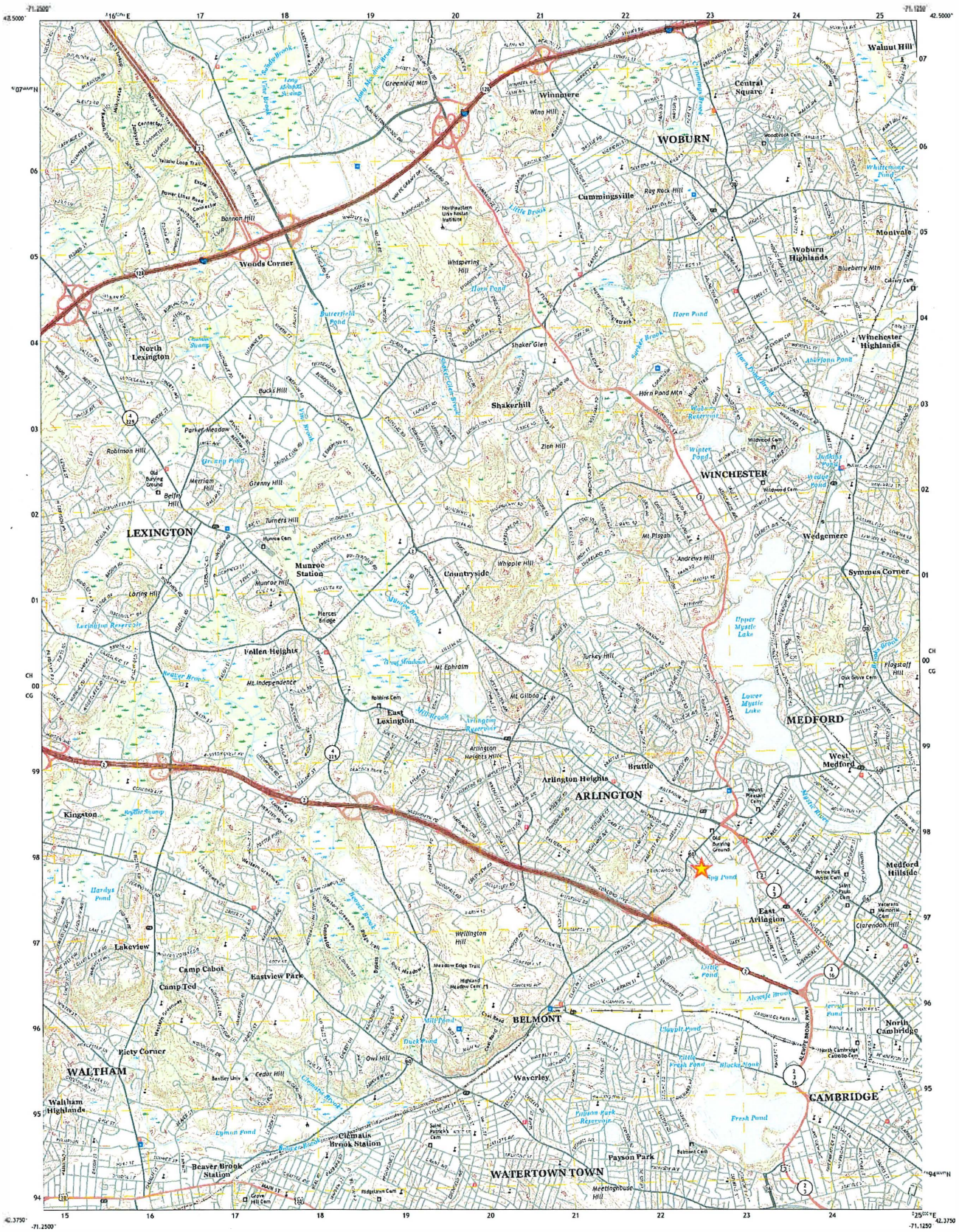
2/14/19

U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY

The National Map US Topo

LEXINGTON QUADRANGLE

MASSACHUSETTS - MIDDLESEX COUNTY
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and 1 000-meter grid: Universal Transverse Mercator, Zone 19T
This map is not a legal document. Boundaries may be generalized for this map scale. Private lands within government reservations may not be shown. Obtain permission before entering private lands.

Imagery		NAIP,	July 2016 - September 2016
Roads	U.S. Census Bureau,		2016
Names	GNIS,	1974 -	
Hydrography	National Hydrography Dataset,		2001
Contours	National Elevation Dataset,	2008 -	2012
Boundaries	Multiple sources; see metadata file	2016 -	2017
Wetlands	FWS National Wetlands Inventory	1991 -	1993

SCALE 1:24 000

KILOMETERS 0 0.5 1 2
METERS 1000 500 0 1000 2000
MILES 0 0.5 1
FEET 1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000

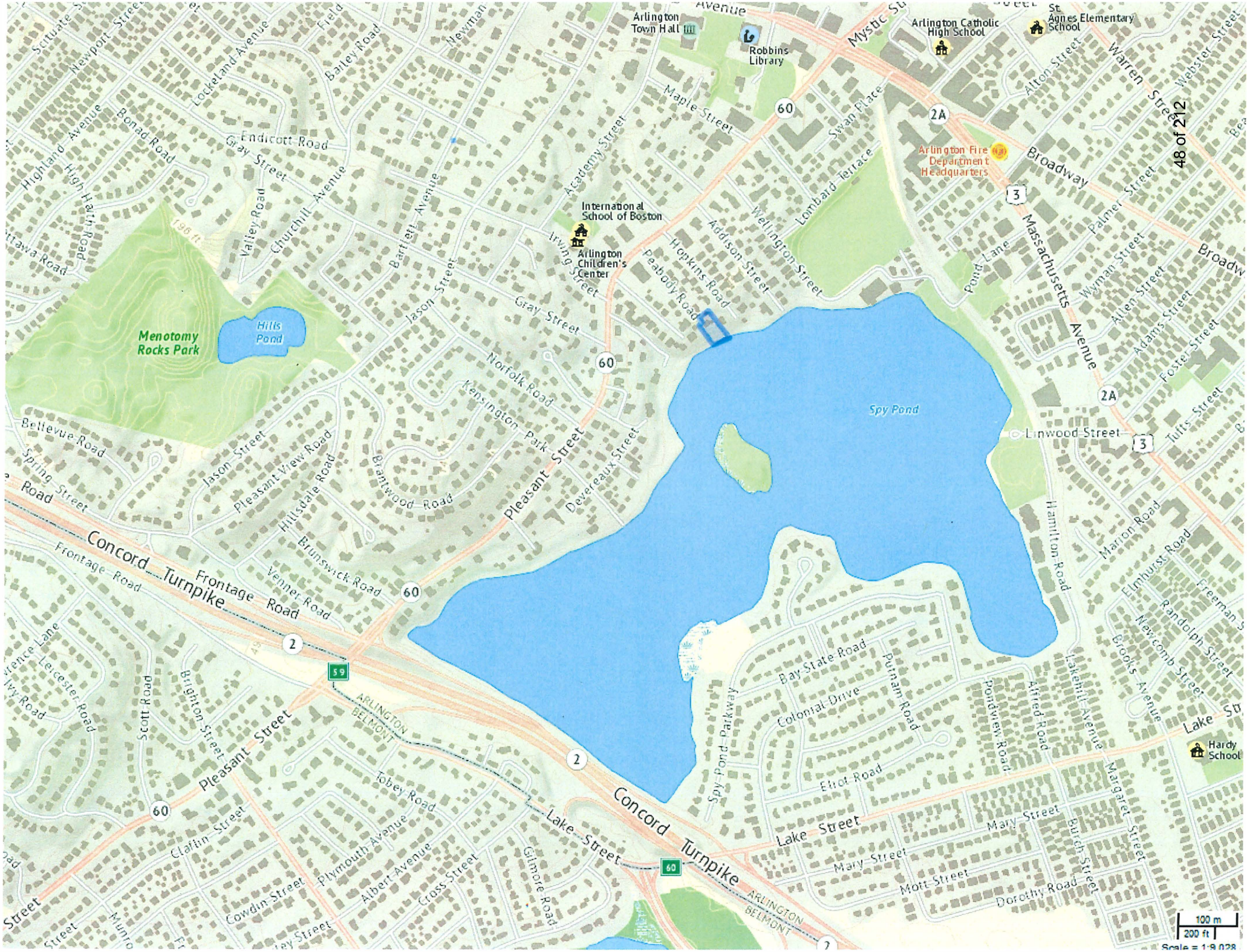
CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the National Geospatial Program US Topo Product Standard, 2011. A metadata file associated with this product is draft version 0.6.18

1 Billerica
2 Wilmington
3 Reading
4 Concord
5 Boston North
6 Natick
7 Newton
8 Boston South

ROAD CLASSIFICATION
Expressway
Secondary Hwy
Ramp
Local Connector
Local Road
4WD
Interstate Route
US Route
State Route

LEXINGTON, MA
2018


Arlington Town Hall
Robbins Library
Arlington Catholic High School
St. Agnes Elementary School
Arlington Fire Department Headquarters
International School of Boston
Arlington Children's Center
Menotomy Rocks Park
Hills Pond
Spy Pond
Mystic Street
Broadway
Massachusetts Avenue
Pleasant Street
Concord Turnpike
Frontage Road
Lake Street
Linwood Street
Maple Street
Academy Street
Swan Place
Lombard Terrace
Wellington Street
Addison Street
Hopkins Road
Peabody Road
Irving Street
Gray Street
Jason Street
Bartlett Avenue
Churchill Avenue
Valley Road
Endicott Road
Bonad Road
Lockeland Avenue
Newman
Field
Bailey Road
Norfolk Road
Kensington Park
Devereaux Street
Bellevue Road
Spring Street
Pleasant View Road
Hillsdale Road
Brantwood Road
Brunswick Road
Venner Road
Scott Road
Brighton Street
Leicester Road
Claflin Street
Tobey Road
Plymouth Avenue
Albert Avenue
Cross Street
Gilmore Road
Cowdin Street
Spy Pond Parkway
Bay State Road
Colonial Drive
Putnam Road
Elliot Road
Pondview Road
Alfred Road
Lakehill Avenue
Mary Street
Mott Street
Dorothy Road
Margaret Street
Burch Street
Hamilton Road
Pond Lane
Palmer Street
Wyman Street
Allen Street
Adams Street
Foster Street
Tufts Street
Marion Road
Elmhurst Road
Newcomb Street
Brooks Avenue
Randolph Street
Freeman Street
Webster Street
Alton Street
Warren Street
Hardy School
ARLINGTON
BELMONT
60
2
2A
3
59
100 m
200 ft
Scale = 1:9,028

National Flood Hazard Layer FIRMette

FEMA



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainag areas of less than one square mile *Zone*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN — Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 — Cross Sections with 1% Annual Chance
- 17.5 — Water Surface Elevation
- Coastal Transect
- 513 — Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represe an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/5/2019 at 9:47:50 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

36 Peabody Rd



















Neighbors house



Affidavit of Service

(Please return to Conservation Commission)

I, Eliza Hatch, being duly sworn, do hereby state as follows: on June 6, 2019, I mailed a "Notification to Abutters" in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, l994, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

Notice of Intent for the restoration of a back yard at 36 Peabody Road abutting Spy Pond. Specifically, the proposal includes the construction of retaining walls and pathways to control erosion of the hillside into the pond, the removal of invasive and non-native species, and the re-planting with native species to increase wildlife habitat.

The form of the notification, and a list of the abutters to whom it was provided and their addresses, are attached to this Affidavit of Service.

Signed under the pains and penalties of perjury, this 6th day of June.

Name

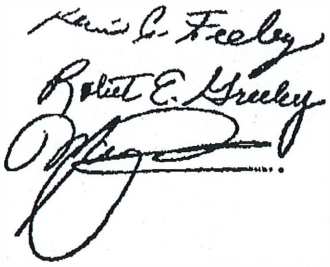
Office of the
Board of Assessors
Robbins Memorial Town Hall
Arlington, MA 02476
(781) 316-3050
Assessors@town.arlington.ma.us

Abutters List
Date: June 06, 2019

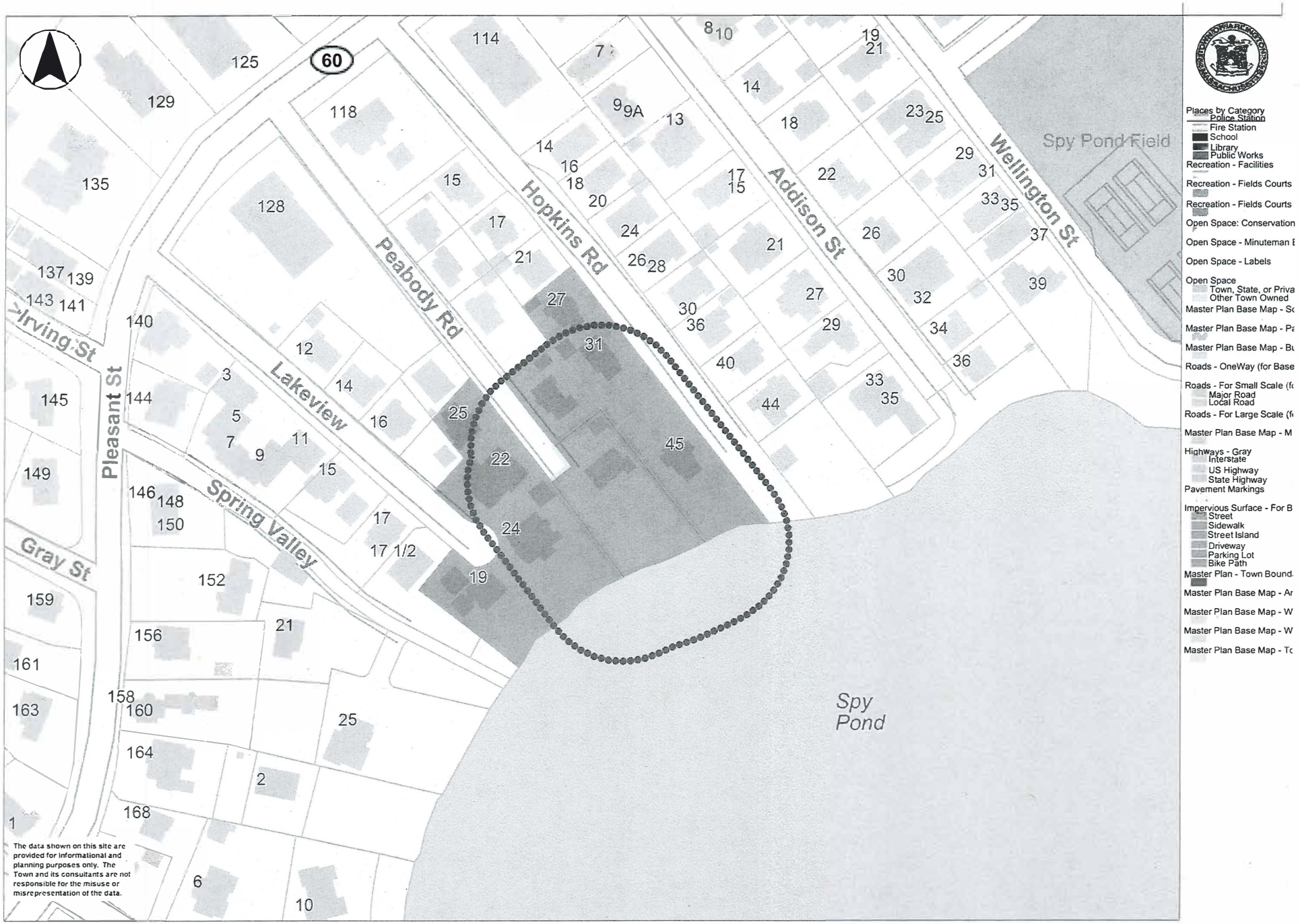
Subject Property Address: 36 PEABODY RD Arlington, MA
Subject Property ID: 121-2-10

Search Distance: 100 Feet - Conservation

The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters to a single parcel within 100 feet.



Board of Assessors



Printed on 06/06/2019 at 08:35 AM

Abutters List
Date: June 06, 2019
Subject Property Address: 36 PEABODY RD Arlington, MA
Subject Property ID: 121-2-10
Search Distance: 100 Feet

Prop ID: 121-1-6
Prop Location: 25 PEABODY RD Arlington, MA
Owner: WADSWORTH MARY DEIRDRE
Co-Owner:
Mailing Address:
25 PEABODY RD
ARLINGTON, MA 02476

Prop ID: 121-1-7
Prop Location: 22 LAKEVIEW Arlington, MA
Owner: 22 LAKEVIEW LLC
Co-Owner:
Mailing Address:
31 PHILEMON STREET
ARLINGTON, MA 02474

Prop ID: 121-1-8
Prop Location: 24-26 LAKEVIEW Arlington, MA
Owner: BOWES ROBERT E
Co-Owner:
Mailing Address:
26 LAKEVIEW
ARLINGTON, MA 02476

Prop ID: 121-2-10
Prop Location: 36 PEABODY RD Arlington, MA
Owner: JESSAN IAN
Co-Owner: HATCH ELIZA
Mailing Address: 36 PEABODY RD
ARLINGTON, MA 02476

Prop ID: 121-2-11
Prop Location: 28 PEABODY RD Arlington, MA
Owner: BLAIR COLIN C & SUSANNE S /TRS
Co-Owner: COLIN & SUSANNE BLAIR TRUST
Mailing Address:
28 PEABODY RD
ARLINGTON, MA 02476

Prop ID: 121-2-5
Prop Location: 27 HOPKINS RD Arlington, MA
Owner: AZAD LEGACY PARTNERS LLC
Co-Owner:
Mailing Address:
430 MARRETT RD
LEXINGTON, MA 02421

Prop ID: 121-2-7
Prop Location: 31 HOPKINS RD Arlington, MA
Owner: AUMULLER CHRISTIAN
Co-Owner:
Mailing Address:
PO BOX 292
ARLINGTON, MA 02476

Prop ID: 121-2-8
Prop Location: 0-LOT HOPKINS RD Arlington, MA
Owner: GILLESPIE BRIAN W
Co-Owner: HEDLER AMY S
Mailing Address:
45 HOPKINS ROAD
ARLINGTON, MA 02476

Prop ID: 121-2-9
Prop Location: 45 HOPKINS RD Arlington, MA
Owner: GILLESPIE BRIAN W
Co-Owner: HEDLER AMY S
Mailing Address:
45 HOPKINS ROAD
ARLINGTON, MA 02476

Prop ID: 122-5-16.B
Prop Location: 19 LAKEVIEW Arlington, MA
Owner: BARBERA MARIANNE
Co-Owner:
Mailing Address:
19 LAKEVIEW
ARLINGTON, MA 02476

Abutter Notification Model

Notification to Abutters Under the Massachusetts Wetlands Protection Act And Arlington Wetlands Protection Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Conservation Commission will hold a public hearing in the second floor conference room of the Town Hall Annex, 730 Massachusetts Avenue, Arlington, on Thursday, June 20th, 2019, at 7:30pm in accordance with the provisions of the Mass. Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended) and the Town of Arlington Bylaws Article 8, Bylaw for Wetland Protection, for a Notice of Intent (or Request for Determination of Applicability) from Eliza Hatch, for the restoration of wildlife habitat and erosion control and prevention at 36 Peabody Road, within 100 feet of a wetland, on Assessor's Property Map/s #121.0, Lot/s #0010.0.

A copy of the application and accompanying plans are available for inspection Mon. - Thurs. 8am-4pm and Fri. 8am-noon at the Conservation Commission office, first floor of the Town Hall Annex, 730 Massachusetts Avenue, Arlington, MA 02476. For more information call the applicant at (978) 852-0672 or the Arlington Conservation Commission at 781-316-3012, or the DEP Northeast Regional Office at 978-694-3200.

NOTE: Notice of the Public Hearing will be published at least five (5) business days in advance in *The Arlington Advocate* and will also be posted at least 48 hours in advance in the Arlington Town Hall.

****

The meeting information for your hearing is:

Date: June 20, 2019

Time: 7:30pm

Legal Notice Charge Authorization

DATE: 6/6/19

TO: legals@wickedlocal.com

I hereby authorize Community Newspapers to bill me directly for the legal notice to be published in the Arlington Advocate newspaper on June 7th or after for a public hearing with the Arlington Conservation Commission to review a project at the following location:

36 Peabody Road, Arlington

Thank you.

Signed: _____

Send bill to:

ELIZA HATCH (Address)

36 PEABODY ROAD

ARLINGTON MA 02476

Emailed 6/6/19

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington
City/Town

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.





Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

36 Peabody Rd — a. Street Address
Arlington — b. City/Town
02476 — c. Zip Code

Latitude and Longitude:
42.41095 N — d. Latitude
71.15585W — e. Longitude

121 — f. Assessors Map/Plat Number
10 — g. Parcel /Lot Number

2. Applicant:

Eliza — a. First Name
Hatch — b. Last Name
c. Organization
36 Peabody Rd — d. Street Address
Arlington — e. City/Town
MA — f. State
02476 — g. Zip Code
h. Phone Number
i. Fax Number
j. Email Address

3. Property owner (required if different from applicant): ☒ Check if more than one owner

a. First Name
b. Last Name
c. Organization
d. Street Address
e. City/Town
f. State
g. Zip Code
h. Phone Number
i. Fax Number
j. Email address

4. Representative (if any):

a. First Name
b. Last Name
c. Company
d. Street Address
e. City/Town
f. State
g. Zip Code
h. Phone Number
i. Fax Number
j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

500 — a. Total Fee Paid
b. State Fee Paid
c. City/Town Fee Paid

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington
City/Town

A. General Information (continued)

6. General Project Description:

Stabilization and landscaping of steep grade in residential backyard descending to the shore of Spy Pond

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

1. ☒ Single Family Home
2. ☐ Residential Subdivision
3. ☐ Commercial/Industrial
4. ☐ Dock/Pier
5. ☐ Utilities
6. ☐ Coastal engineering Structure
7. ☐ Agriculture (e.g., cranberries, forestry)
8. ☐ Transportation
9. ☐ Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No

If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

a. County	b. Certificate # (if registered land)
South MIddlesex	
c. Book	d. Page Number
71928	368

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

1. ☒ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
2. ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
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Arlington
City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☒ Bank	107 1. linear feet	2. linear feet
b. ☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c. ☐ Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. ☐ Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. ☐ Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. ☐ Riverfront Area	1. Name of Waterway (if available) - **specify coastal or inland**	

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f**. above.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington
City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users: Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet 2. cubic yards dredged	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☐ Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. ☐ Coastal Dunes	1. square feet	2. cubic yards dune nourishment

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
f. ☐ Coastal Banks	1. linear feet	
g. ☐ Rocky Intertidal Shores	1. square feet	
h. ☐ Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. ☐ Land Under Salt Ponds	1. square feet 2. cubic yards dredged	
j. ☐ Land Containing Shellfish	1. square feet	
k. ☐ Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above 1. cubic yards dredged	
l. ☐ Land Subject to Coastal Storm Flowage	1. square feet	

4. ☐ Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Arlington
City/Town

C. Other Applicable Standards and Requirements

☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. ☐ Yes ☒ No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

2017
b. Date of map

If *yes*, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area _____ percentage/acreage

(b) outside Resource Area _____ percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Arlington
City/Town

C. Other Applicable Standards and Requirements (cont'd)

(c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and ***mail to NHESP*** at above address

*Projects altering **10 or more acres** of land, also submit:*

(d) ☐ Vegetation cover type map of site

(e) ☐ Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☒ Separate MESA review ongoing. 19-38695 (a. NHESP Tracking #) June 6, 2019 (b. Date submitted to NHESP)

3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

a. ☒ Not applicable – project is in inland resource area only b. ☐ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington
City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users: Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

   a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.

   b. ACEC

5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

   a. ☐ Yes ☒ No

6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

   a. ☐ Yes ☒ No

7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

   a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

      1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)

      2. ☐ A portion of the site constitutes redevelopment

      3. ☐ Proprietary BMPs are included in the Stormwater Management System.

   b. ☒ No. Check why the project is exempt:

      1. ☒ Single-family house

      2. ☐ Emergency road repair

      3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)

2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington
City/Town

D. Additional Information (cont'd)

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Back Yard Hardscape Plan
a. Plan Title

Rue Sherwood Landscape Design, LLC
b. Prepared By

c. Signed and Stamped by

3/11/2019
d. Final Revision Date

1/8" : 1'0"
e. Scale

Planting Plan
f. Additional Plan or Document Title

3/11/2019
g. Date

5. ☒ If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. ☒ Attach NOI Wetland Fee Transmittal Form

9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington
City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant	2. Date
3. Signature of Property Owner (if different)	4. Date
5. Signature of Representative (if any)	6. Date

For Conservation Commission:
Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:
One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:
If the applicant has checked the “yes” box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Applicant Information

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.





1. Location of Project:

a. Street Address | b. City/Town

c. Check number | d. Fee amount

2. Applicant Mailing Address:

a. First Name | b. Last Name

c. Organization

d. Mailing Address

e. City/Town | f. State | g. Zip Code

h. Phone Number | i. Fax Number | j. Email Address

3. Property Owner (if different):

a. First Name | b. Last Name

c. Organization

d. Mailing Address

e. City/Town | f. State | g. Zip Code

h. Phone Number | i. Fax Number | j. Email Address

B. Fees

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

Fee should be calculated using the following process & worksheet. ***Please see Instructions before filling out worksheet.***

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract $12.50. To calculate the city/town share of the fee, divide the total fee in half and add $12.50.

NOI Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee: _____ a. Total Fee from Step 5

State share of filing Fee: _____ b. 1/2 Total Fee **less $**12.50

City/Town share of filling Fee: _____ c. 1/2 Total Fee **plus** $12.50

C. Submittal Requirements

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

MASSWILDLIFE

DIVISION OF
FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581
p: (508) 389-6300 | f: (508) 389-7890
MASS.GOV/MASSWILDLIFE

June 19, 2019

Eliza Hatch
36 Peabody Road
Arlington, MA 02476

RE: Applicant: Eliza Hatch
Project Location: 36 Peabody Road
Project Description: Construction of landscaping wall, path to water and revegetation along embankment.
NHESP Tracking No.: 19-38695

RE: Notice that your application for MESA review under 321 CMR 10.18 is incomplete

Dear Ms. Hatch:

The Natural Heritage and Endangered Species Program (NHESP) of the Division of Fisheries and Wildlife (Division) received a filing pursuant to the Massachusetts Endangered Species Act (MESA) (M.G.L. c. 131A) and its implementing regulations (321 CMR 10.18). The purpose of the Division's review under the MESA regulations is to determine whether a Take of state-listed species will result from the proposed project.

This letter is to inform you that the Division has reviewed the materials submitted with your application under the MESA regulations and has determined that additional information is required in order for the Division to complete its review pursuant thereto, as specified below:

1) Please revise the plans submitted, BACK YARD HARDSCAPE PLAN and PLANTING PLAN, to show the location, type and limits of all Resource Areas as delineated pursuant to the MA Wetland Protection Act.

2) Please show the location of the granite curbing like material installed along the pond edge in all plans. The granite curbing like material is visible in one of eight submitted photos, on the lower-half of a photo-sheet. The photo is oriented such that the pond is on the left and the embankment is on the right.

After receiving the above-requested information, the Division will continue its review of the proposed project for compliance with the state-listed species provisions of the MESA regulations. The Division reserves the right to request additional information to understand the potential impacts of the proposed project on state-listed species and their habitats.

No work or other activities related to your filing may be conducted anywhere on the property while the Division completes its review. If you decide to withdraw with your application for review under 321 CMR 10.18, please notify the Division of that decision in writing so that we can close out our review file for this project. If you have any questions regarding this Notice, please contact Misty-Anne Marold, Senior Endangered Species Review Biologist, at misty-anne.marold@mass.gov or (508) 389-6356.

Sincerely,

Everose Schlüter

Everose Schlüter, Ph.D.
Assistant Director

cc: Arlington Conservation Commission

Ian Jessen and Eliza Hatch
36 Peabody Rd.
Arlington, MA 02476

Arlington Conservation Commission
730 Massachusetts Ave. Annex
Arlington, MA 02476

RE: 36 Peabody Rd. Backyard Hardscape Modifications

Dear Commissioners,

We're pleased to share our project's progress so far. The vast bulk of the hardscaping is complete. Construction without power machinery has been an immense amount of work for the crew, but has gone smoothly. Our contractor has demonstrated attention to the order of conditions and we have maintained open communication with the town conservation agent and all other stakeholders.

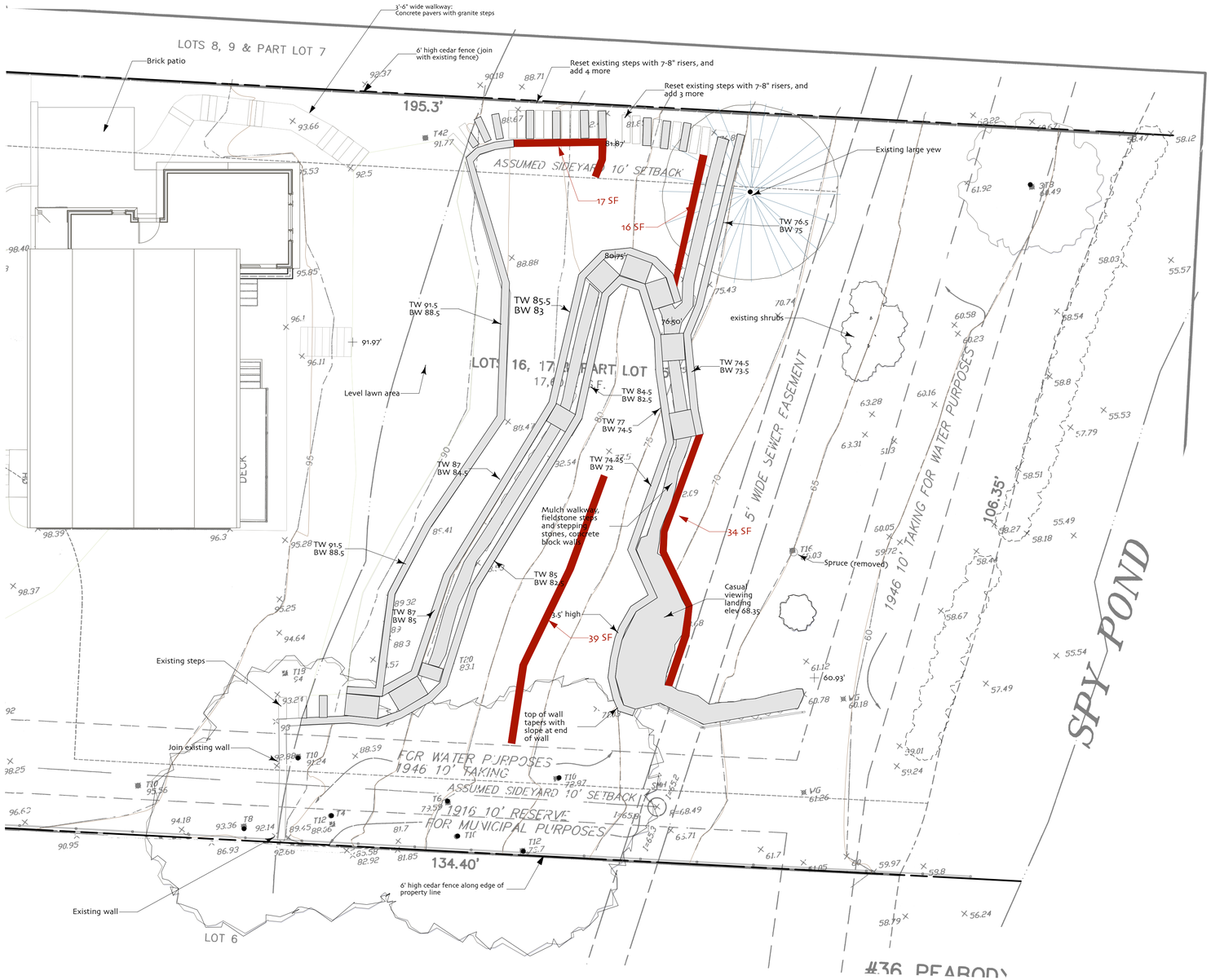
As the hardscaping has been installed, the need for specific modifications to the plans has become apparent. Three areas of steeper than expected slopes necessitate additional, critical stabilization. Those areas are the planting zone above the small patio, the planting zone below the lowest walkway, and a small area above the walkway nearest to the existing yew tree. In approaching the conservation agent for administrative approval of these modifications, she suggested the increase to impervious surfaces due to the additional wall necessitates commission approval, as per the OOC.

Our landscape architect has recently visited the site and confirmed that the hardscaping was installed as per the approved plans. Nevertheless, the resulting gradients in these areas exceed the expectations of the plans, as based on the original site survey. Both our architect and contractor agree that the resulting gradients in these three areas are untenable.

Attached is a proposed new hardscaping plan denoting impervious surfaces. The additional impervious surfaces (as compared to the original approved plan) are shown in red, annotated with the area amounts. The total additional proposed surface is 106 sq ft, entirely comprised of wall for stability. Every effort was made to minimize the total amount of additional wall and its impact to the planned planting zones, while addressing the most concerning grades.

We look forward to your review and discussion and are happy to address any questions.

Sincerely,
Ian Jessen and Eliza Hatch



Hardscape Area:
Walls 368.29 SF
Steps 136.86 SF
Stepping stones 346.44
Total Hardscape Area: 851.59

Additional Hardscape Area:
Walls 106 SF

Notes:
Minimize disturbance during construction of walls.
Leave existing turf undisturbed wherever possible.
Cover disturbed areas with erosion control fabric.
Insert plants into holes cut in erosion control fabric or existing turf on all steep areas.

REVISED 11/11/19: ADDITIONAL WALLS

Scale: 1/8"=1'0"

0 4 8 12 16 FT

Rue Sherwood Landscape Design, LLC
225 Argilla Rd
Ipswich, MA 01938
www.ruesherwood.com
ruesherwood@gmail.com
978-500-3131

Eliza Hatch & Ian Jessen
36 Peabody Rd
Arlington, MA

Hardscape Area (Revised)

2/14/19

Emily Sullivan
Conservation Agent
Town of Arlington, MA

May 12, 2021

Dear Emily,
I prepared a landscape design for Eliza Hatch and Ian Jessen for their property at 36 Peabody Rd, Arlington, MA that required Conservation Commission approval. They presented the plan to the Commission on their own, but asked me to do a follow up site visit to verify the plan was installed as designed.

I visited the site on Saturday, May 1, 2021. The hardscape matches the plan, except that one wall is slightly higher on the hill than designed. However, the overall square footage is consistent with the drawing. This left an open area in the hill that needs some additional native plants.

They also had to make an on-the-spot decision about an additional retaining wall along the eastern property line, near the 100' buffer line, where existing steps needed to be reset, and in so doing, required a retaining wall. This retaining wall added an additional 16 SF of hardscape area within the buffer.

The plant quantities and species agree with the plan. All the trees, and almost all of the shrubs and perennials have survived and look healthy. There are a few areas where additional plants would provide better cover, especially ground covers. We discussed appropriate native plants to meet that goal.

Sincerely,

Rue Sherwood
Landscape Designer, APLD

Rue Sherwood Landscape Design, LLC
978-500-3131 225 Argilla Rd, Ipswich, MA ruesherwood@gmail.com

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 8A – Request for Certificate of Compliance

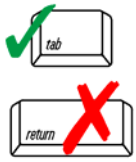
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

Provided by DEP

A. Project Information

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Eliza Hatch
Name

36 Peabody Road
Mailing Address

Arlington | MA | 02476
City/Town | State | Zip Code

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Eliza Hatch
Applicant

9/19/2019 | 091-0313
Dated | DEP File Number

3. The project site is located at:

36 Peabody Road | Arlington
Street Address | City/Town

121 | 10
Assessors Map/Plat Number | Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Property Owner (if different)

County | Book | Page

Certificate (if registered land)

5. This request is for certification that (check one):

☑ the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

☐ the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

☐ the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.

A. Project Information (cont.)

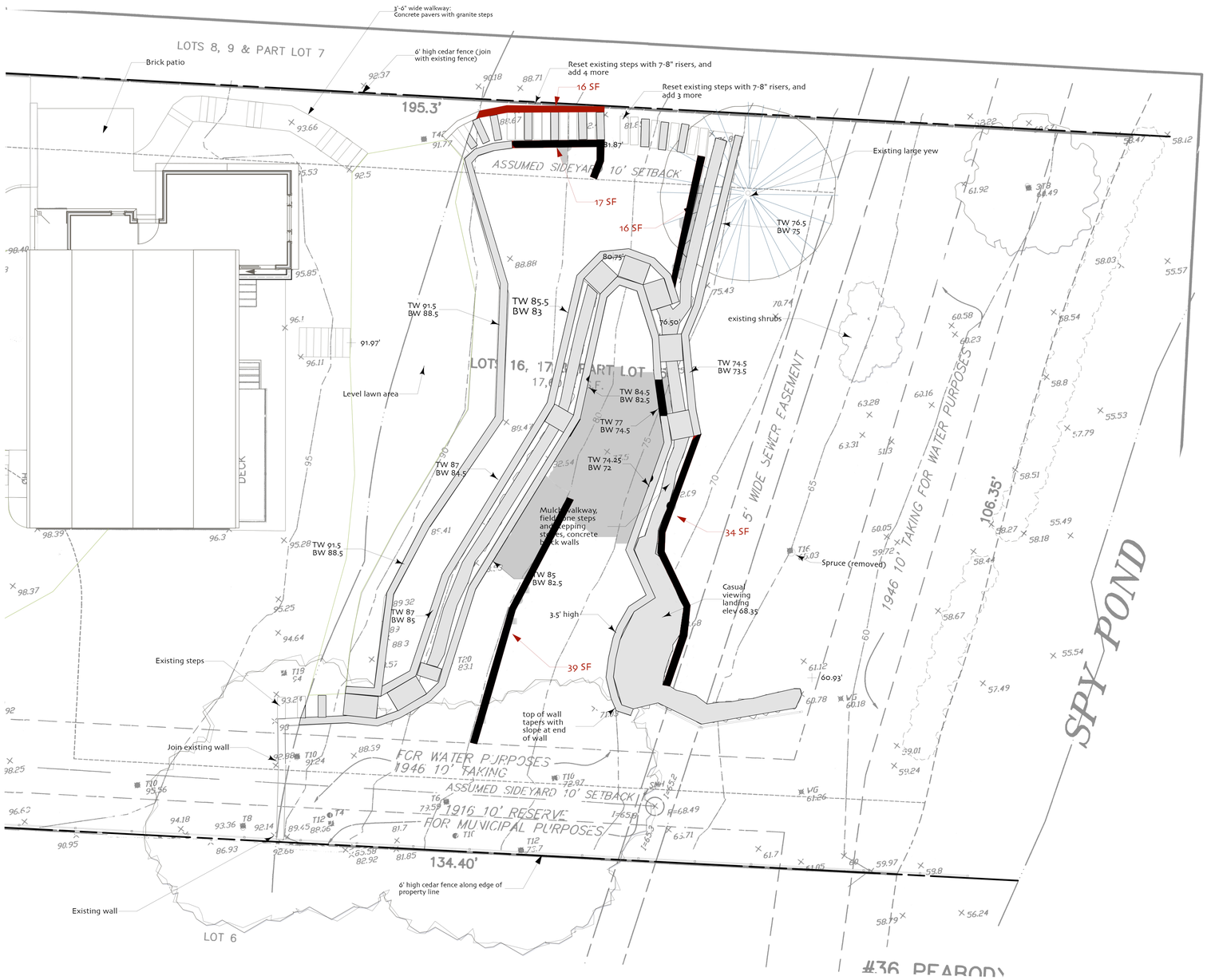
6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

☑ Yes — If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

☐ No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html).



Hardscape Area:
Walls 368.29 SF
Steps 136.86 SF
Stepping stones 346.44
Total Hardscape Area: 851.59

Additional Hardscape Area:
Walls 106 SF
Walls 16 SF

Notes:
Minimize disturbance during construction of walls.
Leave existing turf undisturbed wherever possible.
Cover disturbed areas with erosion control fabric.
Insert plants into holes cut in erosion control fabric or existing turf on all steep areas.

REVISED 5/26/21: ADDITIONAL 16 SF WALL & Adjusted location of 39 SF wall

REVISED 11/11/19: ADDITIONAL WALLS

Scale: 1/8"=1'0"

0 4 8 12 16 FT

Rue Sherwood Landscape Design, LLC
225 Argilla Rd
Ipswich, MA 01938
www.ruesherwood.com
ruesherwood@gmail.com
978-500-3131

Eliza Hatch & Ian Jessen
36 Peabody Rd
Arlington, MA

Hardscape Area (Revised)

2/14/19

Town of Arlington, Massachusetts

Notice of Intent

Summary:
Notice of Intent: Spy Pond Treatment Program
MassDEP File #091-0330
Request to Continue to 07/01/2021

8:00pm This project proposes a water quality management program for Spy Pond.

ATTACHMENTS:

	Type	File Name	Description
🗋	Notice of Intent	Spy_Pond_Treatment_NOI.pdf	Spy Pond Treatment NOI
🗋	Notice of Intent	Spy_Pond_OOC_#091-0258.pdf	Spy Pond OOC #091-0258 (previous treatment OOC)

Notice of Intent Application
Spy Pond
Aquatic Management Program

Arlington, MA

May 2021

Prepared for:
Town of Arlington
Conservation Commission
730 Massachusetts Avenue
Arlington, MA 02476

Prepared by:
SŌLitude Lake Management
590 Lake Street
Shrewsbury, MA 01545

SŌLITUDE
LAKE MANAGEMENT

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  - Wetlands Protection Act Form 3
  - Appendix A: Ecological Restoration Limited Project Checklists

- NOI Wetland Fee Transmittal Form

- NHESP Checklist Form

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  - Environmental Monitor
  - Affidavit of Service
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  - 1.0 Introduction 1
  - 2.0 Problem Statement 1
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Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

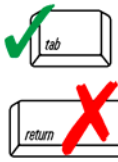
Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

a. Street Address | b. City/Town | c. Zip Code

Latitude and Longitude:

d. Latitude | e. Longitude

f. Assessors Map/Plat Number | g. Parcel /Lot Number

2. Applicant:

a. First Name | b. Last Name

c. Organization

d. Street Address

e. City/Town | f. State | g. Zip Code

h. Phone Number | i. Fax Number | j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

a. First Name | b. Last Name

c. Organization

d. Street Address

e. City/Town | f. State | g. Zip Code

h. Phone Number | i. Fax Number | j. Email address

4. Representative (if any):

a. First Name | b. Last Name

c. Company

d. Street Address

e. City/Town | f. State | g. Zip Code

h. Phone Number | i. Fax Number | j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

a. Total Fee Paid | b. State Fee Paid | c. City/Town Fee Paid

A. General Information (continued)

6. General Project Description:

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

1. ☐ Single Family Home
2. ☐ Residential Subdivision
3. ☐ Commercial/Industrial
4. ☐ Dock/Pier
5. ☐ Utilities
6. ☐ Coastal engineering Structure
7. ☐ Agriculture (e.g., cranberries, forestry)
8. ☐ Transportation
9. ☐ Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☐ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

a. County
b. Certificate # (if registered land)
c. Book
d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

1. ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
2. ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Bank	1. linear feet	2. linear feet
b. ☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c. ☐ Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. ☐ Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. ☐ Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. ☐ Riverfront Area	1. Name of Waterway (if available)	

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

B. Buffer Zone & Resource Area Impacts **(temporary & permanent)** (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users: Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet 2. cubic yards dredged	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☐ Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. ☐ Coastal Dunes	1. square feet	2. cubic yards dune nourishment

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
f. ☐ Coastal Banks	1. linear feet	
g. ☐ Rocky Intertidal Shores	1. square feet	
h. ☐ Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. ☐ Land Under Salt Ponds	1. square feet 2. cubic yards dredged	
j. ☐ Land Containing Shellfish	1. square feet	
k. ☐ Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above 1. cubic yards dredged	
l. ☐ Land Subject to Coastal Storm Flowage	1. square feet	

4. ☐ Restoration/Enhancement
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW | b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings | b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Notice of Intent – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/priority_habitat/online_viewer.htm.

   a. ☐ Yes ☐ No

   If yes, include proof of mailing or hand delivery of NOI to:

   Natural Heritage and Endangered Species Program
   Division of Fisheries and Wildlife
   1 Rabbit Hill Road
   Westborough, MA 01581

   b. Date of map _____

   If *yes*, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.C, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.1.d, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

   1c. Submit Supplemental Information for Endangered Species Review*

   1. ☐ Percentage/acreage of property to be altered:

      (a) within wetland Resource Area _____ percentage/acreage

      (b) outside Resource Area _____ percentage/acreage

   2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

   (a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

   (b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see http://www.mass.gov/dfwele/dfw/nhesp/nhesp.htm, regulatory review tab). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.

C. Other Applicable Standards and Requirements (cont'd)

(c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and ***mail to NHESP*** at above address

*Projects altering **10 or more acres** of land, also submit:*

(d) ☐ Vegetation cover type map of site

(e) ☐ Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing. a. NHESP Tracking # b. Date submitted to NHESP

3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

a. ☐ Not applicable – project is in inland resource area only

b. ☐ Yes ☐ No If yes, include proof of mailing or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

C. Other Applicable Standards and Requirements (cont'd)

Online Users: Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

   a. ☐ Yes ☐ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.

   b. ACEC

5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

   a. ☐ Yes ☐ No

6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

   a. ☐ Yes ☐ No

7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

   a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
      1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
      2. ☐ A portion of the site constitutes redevelopment
      3. ☐ Proprietary BMPs are included in the Stormwater Management System.

   b. ☐ No. Check why the project is exempt:
      1. ☐ Single-family house
      2. ☐ Emergency road repair
      3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☐ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)

2. ☐ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.

D. Additional Information (cont'd)

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☐ List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. ☐ Attach NOI Wetland Fee Transmittal Form

9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

Emily Sullivan (May 6, 2021 09:40 EDT)	05/06/21
1. Signature of Applicant	2. Date
Emily Sullivan (May 6, 2021 09:40 EDT)	05/06/21
3. Signature of Property Owner (if different)	4. Date
	05/18/21
5. Signature of Representative (if any)	6. Date

For Conservation Commission:
Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:
One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

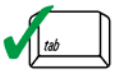
The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

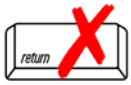
Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.





A. Applicant Information

1. Location of Project:

a. Street Address | b. City/Town

c. Check number | d. Fee amount

2. Applicant Mailing Address:

a. First Name | b. Last Name

c. Organization

d. Mailing Address

e. City/Town | f. State | g. Zip Code

h. Phone Number | i. Fax Number | j. Email Address

3. Property Owner (if different):

a. First Name | b. Last Name

c. Organization

d. Mailing Address

e. City/Town | f. State | g. Zip Code

h. Phone Number | i. Fax Number | j. Email Address

B. Fees

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

Fee should be calculated using the following process & worksheet. ***Please see Instructions before filling out worksheet.***

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract $12.50. To calculate the city/town share of the fee, divide the total fee in half and add $12.50.

NOI Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee: _____ a. Total Fee from Step 5

State share of filing Fee: _____ b. 1/2 Total Fee **less $**12.50

City/Town share of filling Fee: _____ c. 1/2 Total Fee **plus** $12.50

C. Submittal Requirements

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent
Appendix A: Ecological Restoration Limited Project Checklists
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

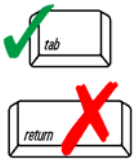
Document Transaction Number

City/Town

Eligibility Checklist

This Ecological Restoration Limited Project Eligibility Checklist guides the applicant in determining if their project is eligible to file as an Inland or Coastal Ecological Restoration Limited Project (310 CMR 10.53(4) or 310 CMR 10.24(8) respectively). These criteria must be met when submitting the Ecological Restoration Limited Project Notice of Intent to ensure that the restoration and improvement of the natural capacity of a Resource Area(s) to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

Regulatory Features of All Coastal and Inland Ecological Restoration Limited Projects

(a) May result in the temporary or permanent loss of/or conversion of Resource Area: An Ecological Restoration Limited Project that meets the requirements of 310 CMR 10.24(8) may result in the temporary or permanent loss of Resource Areas and/or the conversion of one Resource Area to another when such loss is necessary to the achievement of the project's ecological restoration goals.

(b) Exemption from wildlife habitat evaluation: A NOI for an Ecological Restoration Limited Project that meets the minimum requirements for Ecological Restoration Projects and for a MassDEP Combined Application outlined in 310 CMR 10.12(1) and (2) is exempt from providing a wildlife habitat (310 CMR 10.60), but still must meet the general performance standards for Bank [310 CMR 10.54(4)(a)5]; Land Under Water Bodies and Waterways [310 CMR 10.56(4)(a)4], and Wildlife Habitat Evaluation [310 CMR 10.60].

(c) The following are considerations for applicants filing an Ecological Restoration Limited Project NOI and for the issuing authority approving a project as an Ecological Restoration Limited Project:

- ☐ The condition of existing and historic Resource Areas proposed for restoration.
- ☐ Evidence of the extent and severity of the impairment(s) that reduce the capacity of the Resource Areas to protect and sustain the interests identified in M.G.L. c. 131, § 40.
- ☐ The magnitude and significance of the benefits of the Ecological Restoration Project in improving the capacity of the affected Resource Areas to protect and sustain the other interests identified in M.G.L. c. 131, § 40.
- ☐ The magnitude and significance of the impacts of the Ecological Restoration Project on existing Resource Areas that may be modified, converted and/or lost and the interests for which said Resource Areas are presumed significant in 310 CMR 10.00, and the extent to which the project will:
  - a. avoid adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that can be avoided without impeding the achievement of the project's ecological restoration goals.
  - b. minimize adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that are necessary to the achievement of the project's ecological restoration goals.
  - c. utilize best management practices such as erosion and siltation controls and proper construction sequencing to avoid and minimize adverse construction impacts to resource areas and the interests identified in M.G.L. c. 131, § 40.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent
Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8))

Complete this Eligibility Criteria Checklist ***before*** filling out a Notice of Intent Application to determine if your project qualifies as a Coastal Ecological Restoration Limited Project. (310 CMR 10.24(8)) Sign the Eligibility Certification at the end of Appendix A, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.

General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects

Notwithstanding the requirements of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58, and the Wildlife Habitat evaluations in 310 CMR 10.60, the Issuing Authority may issue an Order of Conditions permitting an Ecological Restoration Project listed in 310 CMR 10.24(8)(e) as an Ecological Restoration Limited Project and impose such conditions as will contribute to the interests identified in the WPA M.G.L. provided that the project meets all the requirements in 310 CMR 10.24 (8).

☐ The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project type listed below [310 CMR 10.24(8)(e)].

☐ Tidal Restoration.

☐ Shellfish Habitat Restoration.

☐ Other Ecological Restoration Limited Project Type.

☐ The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.

- ☐ Protection of public or private water supply.
- ☐ Protection of ground water supply.
- ☐ Flood control.
- ☐ Storm damage prevention.
- ☐ Prevention of pollution.
- ☐ Protection of land containing shellfish.
- ☐ Protection of fisheries.
- ☐ Protection of wildlife habitat.

☐ If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will not have any adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.

WPA Form 3 – Notice of Intent
Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects (cont.)

☐ If the project is located in a Coastal Dune or Barrier Beach, the project avoids and minimizes armoring of the Coastal Dune or Barrier Beach to the maximum extent practicable.

☐ The project complies with all applicable provisions of 310 CMR 10.24(1) through (6) and 310 CMR 10.24(9) and (10).

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

☐ This Ecological Restoration Limited Project application meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.24(8)(a) through (d) and as proposed, furthers at least one of the WPA interests is for the project type identified below.

☐ **Tidal Restoration Projects**

☐ A project to restore tidal flow that will not significantly increase flooding or storm damage impacts to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.

☐ **Shellfish Habitat Restoration Projects**

☐ The project has received a Special Projects Permit from the Division of Marine Fisheries or, if a municipality, has received a shellfish propagation permit.

☐ The project is made of cultch (e.g., shellfish shells from oyster, surf or ocean clam) or is a structure manufactured specifically for shellfish enhancement (e.g., reef blocks, reef balls, racks, floats, rafts, suspended gear).

☐ **Other Ecological Restoration Projects** that meet the criteria set forth in 310 CMR 10.24(8)(a) through (d).

☐ Restoration, enhancement, or management of Rare Species habitat.

☐ Restoration of hydrologic and habitat connectivity.

☐ Removal of aquatic nuisance vegetation to impede eutrophication.

☐ Thinning or planting of vegetation to improve habitat value.

☐ Fill removal and re-grading.

☐ Riparian corridor re-naturalization.

☐ River floodplain re-connection.

WPA Form 3 – Notice of Intent
Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

- ☐ In-stream habitat enhancement.
- ☐ Remediation of historic tidal wetland ditching.
- ☐ Eelgrass restoration.
- ☐ Invasive species management.
- ☐ Installation of fish passage structures.
- ☐ Other. Describe: _____

☐ This project involves the construction, repair, replacement or expansion of public or private infrastructure (310 CMR 10.24(9).

- ☐ The NOI attachment labeled _____ is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.
- ☐ The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.
- ☐ This project proposes to replace an existing stream crossing (310 CMR 10.24(10). The crossing complies with the Massachusetts Stream Crossing Standards to the maximum extent practicable with details provided in the NOI. The crossing type:
  - ☐ Replaces an existing non-tidal crossing that is part of an Anadromous/Catadromous Fish Run (310 CMR 10.35)
  - ☐ Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.
- ☐ At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been consider site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting the standard compared to the cost, by evaluating the following:
  - ☐ The potential for downstream flooding;
  - ☐ Upstream and downstream habitat (in-stream habitat, wetlands);
  - ☐ Potential for erosion and head-cutting;
  - ☐ Stream stability;
  - ☐ Habitat fragmentation caused by the crossing;
  - ☐ The amount of stream mileage made accessible by the improvements;
  - ☐ Storm flow conveyance;

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

- ☐ Engineering design constraints specific to the crossing;
- ☐ Hydrologic constraints specific to the crossing;
- ☐ Impacts to wetlands that would occur by improving the crossing;
- ☐ Potential to affect property and infrastructure; and
- ☐ Cost of replacement.

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4))

Complete this Eligibility Criteria Checklist ***before*** filling out a Notice of Intent Application to determine if your project qualifies as an Inland Ecological Restoration Limited Project. (310 CMR 10.53(4)) Sign the Eligibility Certification at the end of Appendix B, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.

General Eligibility Criteria for All Inland Ecological Restoration Limited Projects

Notwithstanding the requirements of any other provision of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58, and 310 CMR 10.60, the Issuing Authority may issue an Order of Conditions permitting an Ecological Restoration Project listed in 310 CMR 10.53(4)(e) as an Ecological Restoration Limited Project and impose such conditions as will contribute to the interests identified in M.G.L. c. 131, § 40, provided that:

☐ The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project type listed below [310 CMR 10.53(4)(e)].

- ☐ Dam Removal
- ☐ Freshwater Stream Crossing Repair and Replacement
- ☐ Stream Daylighting
- ☐ Tidal Restoration
- ☐ Rare Species Habitat Restoration
- ☐ Restoring Fish Passageways

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

General Eligibility Criteria for All Inland Ecological Restoration Limited Projects

☐ The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.

- ☐ Protection of public or private water supply
- ☐ Protection of ground water supply
- ☐ Flood control
- ☐ Storm damage prevention
- ☐ Prevention of pollution
- ☐ Protection of land containing shellfish
- ☐ Protection of fisheries
- ☐ Protection of wildlife habitat

☐ If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will have no adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.

☐ The project will be carried out in accordance with any time of year restrictions or other conditions recommended by the Division of Marine Fisheries for coastal waters and the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3).

☐ If the project involves the dredging of 100 cubic yards of sediment or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification has been applied for or obtained.

☐ The project complies with all applicable provisions of 310 CMR 10.53(1), (2), (7), and (8).

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

Additional Eligibility Criteria for Specific Inland Ecological Restoration Limited Project Types

These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

☐ This project application meets the eligibility criteria for Ecological Restoration Limited Project in accordance with [310 CMR 10.53(4)(a) through (d) and as proposed, furthers at least one of the WPA interests is for the project type identified below:

☐ **Dam Removal**

☐ Project is consistent with MassDEP's 2007 Dam Removal Guidance.

☐ **Freshwater Stream Crossing Repair and Replacement**. The project as proposed and the NOI describes how:

☐ Meeting the eligibility criteria set forth in 310 CMR 10.13 would result in significant stream instability or flooding hazard that cannot otherwise be mitigated, and site constraints make it impossible to meet said criteria.

☐ The project design ensures that the stability of the bank is NOT impaired.

☐ To the maximum extent practicable, the project provides for the restoration of the stream upstream and downstream of the structure as needed to restore stream continuity and eliminate barriers to aquatic organism movement.

☐ The project complies with the requirements of 310 CMR 10.53(7) and (8).

☐ **Stream Daylighting Projects**

☐ The project meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.53(4)(a) through (d)] and as proposed the NOI describes how the proposed project meets to the maximum extent practicable, consistent with the project's ecological restoration goals, all the performance standards for Bank and Land Under Water Bodies and Waterways.

☐ The project meets the requirements of 310 CMR 10.12(1) and (2) and a wildlife habitat evaluation is not included in the NOI.

☐ **Tidal Restoration Project**

☐ Restores tidal flow.

☐ the project, including any proposed flood mitigation measures, will not significantly increase flooding or storm damage to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

☐ **Other Ecological Restoration Projects** that meet the criteria set forth in 310 CMR 10.24(8)(a) through (d).

- ☐ Restoration, enhancement, or management of Rare Species habitat.
- ☐ Restoration of hydrologic and habitat connectivity.
- ☐ Removal of aquatic nuisance vegetation to impede eutrophication.
- ☐ Thinning or planting of vegetation to improve habitat value.
- ☐ Riparian corridor re-naturalization.
- ☐ River floodplain re-connection.
- ☐ In-stream habitat enhancement.
- ☐ Fill removal and re-grading.
- ☐ Flow restoration.
- ☐ Installation of fish passage structures.
- ☐ Invasive species management.
- ☐ Other. Describe: _____

☐ This project involves the construction, repair, replacement or expansion of public or private infrastructure. (310 CMR 10.53(7))

- ☐ The NOI attachment labeled _____ is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.
- ☐ The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.

☐ This project replaces an existing stream crossing (310 CMR 10.53(8)). The crossing type:

- ☐ Replaces an existing non-tidal crossing designed to comply with the Massachusetts Stream Crossing Standards to the maximum extent practicable with details provided in the NOI.
- ☐ Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

☐ At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been consider site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting the standard compared to the cost, by evaluating the following:

- ☐ The potential for downstream flooding;
- ☐ Upstream and downstream habitat (in-stream habitat, wetlands);
- ☐ Potential for erosion and head-cutting;
- ☐ Stream stability;
- ☐ Habitat fragmentation caused by the crossing;
- ☐ The amount of stream mileage made accessible by the improvements;
- ☐ Storm flow conveyance;
- ☐ Engineering design constraints specific to the crossing;
- ☐ Hydrologic constraints specific to the crossing;
- ☐ Impacts to wetlands that would occur by improving the crossing;
- ☐ Potential to affect property and infrastructure; and
- ☐ Cost of replacement.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent
Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

Required Actions (310 CMR 10.11)

Complete the Required Actions before submitting a Notice of Intent Application for an Ecological Restoration Project and submit a completed copy of this Checklist with the Notice of Intent.

☐ **Massachusetts Environmental Policy Act (MEPA) / Environmental Monitor**
http://www.mass.gov/eea/agencies/mepa/submitting-notices-to-the-environmental-monitor.html

For Ecological Restoration Limited Projects, there are no changes to MEPA requirements.

☐ Submit written notification at least 14 days prior to the filing of a Notice of Intent (NOI) to the Environmental Monitor for publication. A copy of the written notification is attached and provides at minimum:

- ☐ A brief description of the proposed project.
- ☐ The anticipated NOI submission date to the conservation commission.
- ☐ The name and address of the conservation commission that will review the NOI.
- ☐ Specific details as to where copies of the NOI may be examined or acquired and where to obtain the date, time, and location of the public hearing.

☐ **Massachusetts Endangered Species Act (MESA) /Wetlands Protection Act Review**

- ☐ Preliminary Massachusetts Endangered Species Act Review from the Natural Heritage and Endangered Species Program (NHESP) has been met and the written determination is attached.
  - ☐ Supplemental Information for Endangered Species Review has been submitted.
    1. ☐ Percentage/acreage of property to be altered:
       a. Within Wetland Resource Area _____ Percentage/acreage
       b. Outside Wetland Resource Area _____ Percentage/acreage
    2. ☐ Assessor's Map or right-of-way plan of site
    3. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work.
    4. ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)
    5. ☐ Photographs representative of the site
    6. ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm)

Required Actions (310 CMR 10.11) (cont.)

Make check payable to "Commonwealth of Massachusetts - NHESP" and mail to NHESP:

Natural Heritage & Endangered Species Program
MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

7. Projects altering 10 or more acres of land, also submit:

   a. ☐ Vegetation cover type map of site

   b. ☐ Project plans showing Priority & Estimated Habitat boundaries

OR Check One of the Following:

1. ☐ Project is exempt from MESA review.

Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59 – see C4 below)

2. ☐ Separate MESA review ongoing.

a. NHESP Tracking # _____ b. Date submitted to NHESP _____

3. ☐ Separate MESA review completed. Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

☐ **Estimated Habitat Map of State-Listed Rare Wetlands Wildlife**

If a portion of the proposed project is located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP), complete the portion below. To view habitat maps, see the **Massachusetts Natural Heritage Atlas** or view the maps electronically at: http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review

☐ A preliminary written determination from Natural Heritage and Endangered Species Program (NHESP) must be obtained indicating that:
☐ Project will NOT impact an area located within estimated habitat indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife published by NHESP.
☐ Project will impact an area located within estimated habitat indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife published by NHESP. A copy of NHESP's written preliminary determination in accordance with 310 CMR 10.11(2) is attached. This specifies:

☐ Date of the map: _____

Required Actions (310 CMR 10.11) (cont.)

☐ If the Rare Species identified is/are likely to continue to be located on or near the project, and if so, whether the Resource Area to be altered is in fact part of the habitat of the Rare Species.

☐ That if the project alters Resource Area(s) within the habitat of a Rare Species:

☐ The Rare Species is identified;

☐ NHESP's recommended changes or conditions necessary to ensure that the project will have no short or long term adverse effect on the habitat of the local population of the Rare Species is provided; or

☐ An approved NHESP habitat management plan is attached with this Notice of Intent.

Send the request for a preliminary determination to:
Natural Heritage & Endangered Species Program
MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

☐ **Division of Marine Fisheries**

☐ If the project will occur within a coastal waterbody with a restricted Time of Year, [see Appendix B of the Division of Marine Fisheries (DMF) Technical Report TR 47 "Marine Fisheries Time of Year Restrictions (TOYs) for Coastal Alteration Projects" dated April 2011 http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/NEGP/MADMFTR-47.pdf].

☐ Obtain a DMF written determination stating:

☐ The proposed work does NOT require a TOY restriction.

☐ The proposed work requires a TOY restriction. Specific recommended TOY restriction and recommended conditions on the proposed work is attached.

☐ If the project may affect a diadromous fish run [re: Division of Marine Fisheries (DMF) Technical Reports TR 15 through 18, dated 2004: http://www.mass.gov/eea/agencies/dfg/dmf/publications/technical.html]

☐ Obtain a DMF written determination stating:

☐ The design specifications and operational plan for the project are compatible with the passage requirements of the fish run.

☐ The design specifications and operational plan for the project are not compatible with the passage requirements of the fish run.

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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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Required Actions (310 CMR 10.11) (cont.)

Send the request for a written determination to:

Division of Marine Fisheries - Southeast
Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694

North Shore - Hull to New Hampshire:
Division of Marine Fisheries - North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

☐ **Division of Fisheries and Wildlife –** http://www.mass.gov/eea/agencies/dfg/dfw/

☐ Projects that involve silt-generating, in-water work that will impact a non-tidal perennial river or stream and the in-water work will not occur between May 1 and August 30.

☐ Obtain a written determination from the Division of Fisheries and Wildlife (DFW) as to whether the proposed work requires a TOY restriction.

☐ The proposed work does NOT require a TOY restriction.

☐ The proposed work requires a TOY restriction. The DFW determination with TOY restriction and other conditions is attached.

☐ **MassDEP Water Quality Certification**

☐ Project involves dredging of 100 cubic yards or more in a Resource Area or dredging of any amount in an Outstanding Resource Water (ORW). A copy and proof of the MassDEP Water Quality Certification pursuant to 314 CMR 9.00 is attached to the NOI.

☐ This project is a Combined Permit Application for 401 Dredging and Restoration (BRP WW 26).

☐ **MassDEP Wetlands Restriction Order**

Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

☐ Yes ☐ No

☐ **Department of Conservation and Recreation**

Office of Dam Safety

☐ For Dam Removal Projects, obtain a written determination from the Department of Conservation and Recreation Office of Dam Safety that the dam is not subject to the jurisdiction of the Office under 302 CMR 10.00, a written determination that the dam removal does not require a permit under 302 CMR 10.00 or a permit authorizing the dam removal in accordance with 302 CMR 10.00 has been issued.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent
Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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Required Actions (310 CMR 10.11) (cont.)

Areas of Critical Environmental Concern (ACECs)

Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

☐ Yes ☐ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations).

Minimum Required Documents (310 CMR 10.12)

Complete the Required Documents Checklist below and provide supporting materials before submitting a Notice of Intent Application for an Ecological Restoration Project.

☐ This Notice of Intent meets all applicable requirements outlined in for Ecological Restoration Projects in 310 CMR 10.12. Use the checklist below to insure that all documentation is included with the NOI.

At a minimum, a Notice of Intent for an Ecological Restoration Project shall include the following:

☐ Description of the project's ecological restoration goals;

☐ The location of the Ecological Restoration Project;

☐ Description of the construction sequence for completing the project;

☐ A map of the Areas Subject to Protection Under M.G.L. c. 131, § 40, that will be temporarily or permanently altered by the project or include habitat for Rare Species, Habitat of Potential Regional and Statewide Importance, eel grass beds, or Shellfish Suitability Areas.

☐ The method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.) is attached with documentation methodology.

☐ List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title

b. Prepared by

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

☐ If there is more than one property owner, attach a list of these property owners not listed on this form.

☐ Attach NOI Wetland Fee Transmittal Form.

Massachusetts Department of Environmental Protection
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WPA Form 3 – Notice of Intent
Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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Minimum Required Documents (310 CMR 10.12)

- ☐ An evaluation of any flood impacts that may affect the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure as well as any proposed flood impact mitigation measures;
- ☐ A plan for invasive species prevention and control;
- ☐ The Natural Heritage and Endangered Species Program written determination in accordance with 310 CMR 10.11(2), if needed;
- ☐ Any Time of Year restrictions and/or other conditions recommended by the Division of Marine Fisheries or the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3), (4), (5), if needed;
- ☐ Proof that notice was published in the Environmental Monitor as required by 310 CMR 10.11(1;
- ☐ A certification by the applicant under the penalties of perjury that the project meets the eligibility criteria set forth in 310 CMR 10.13;
- ☐ If the Ecological Restoration Project involves the construction, repair, replacement or expansion of infrastructure, an operation and maintenance plan to ensure that the infrastructure will continue to function as designed;
- ☐ If the project involves dredging of 100 cubic yards or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification issued by the Department pursuant to 314 CMR 9.00;
- ☐ If the Ecological Restoration Project involves work on a stream crossing, information sufficient to make the showing required by 310 CMR 10.24(10) for work in a coastal resource area and 310 CMR 10.53(8) for work in an inland resource area; and
- ☐ If the Ecological Restoration Project involves work on a stream crossing, baseline photo-points that capture longitudinal views of the crossing inlet, the crossing outlet and the upstream and downstream channel beds during low flow conditions. The latitude and longitude coordinates of the photo-points shall be included in the baseline data.
- ☐ This project is subject to provisions of the MassDEP Stormwater Management Standards. A copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) is attached.
- ☐ Provide information as the whether the project has the potential to impact private water supply wells including agricultural or aquacultural wells or surface water withdrawal points.

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Appendix A: Ecological Restoration Limited Project Checklists
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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Certification that the Ecological Restoration Project Meets the Eligibility Criteria

I hereby certify under penalties of perjury that the Ecological Restoration Project Notice of Intent application does not meet the Eligibility criteria for an Ecological Restoration Order of Conditions set forth in 310 CMR 10.13, but does meet the Eligibility Criteria for a Ecological Restoration Limited Project set forth in 10.24(8) or 10.53(4) whichever is applicable. I certify that I am familiar with the information contained in the application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.

Emily Sullivan (May 6, 2021 08:40 EDT)

Signature of Applicant or Authorized Agent

Printed Name of Applicant or Authorized Agent

5/6/2021
Date

The certification must be signed by the applicant; however, it may be signed by a duly authorized agent (named in Item 2) if this form is accompanied by a statement by the applicant designating the agent and agreeing to furnish upon request, supplemental information in support of the application.

ATTACHMENT A

Abutter Notification

Office of the Board of Assessors
Robbins Memorial Town Hall
Arlington, MA 02476
(781) 316-3050
Assessors@town.arlington.ma.us

Abutters List

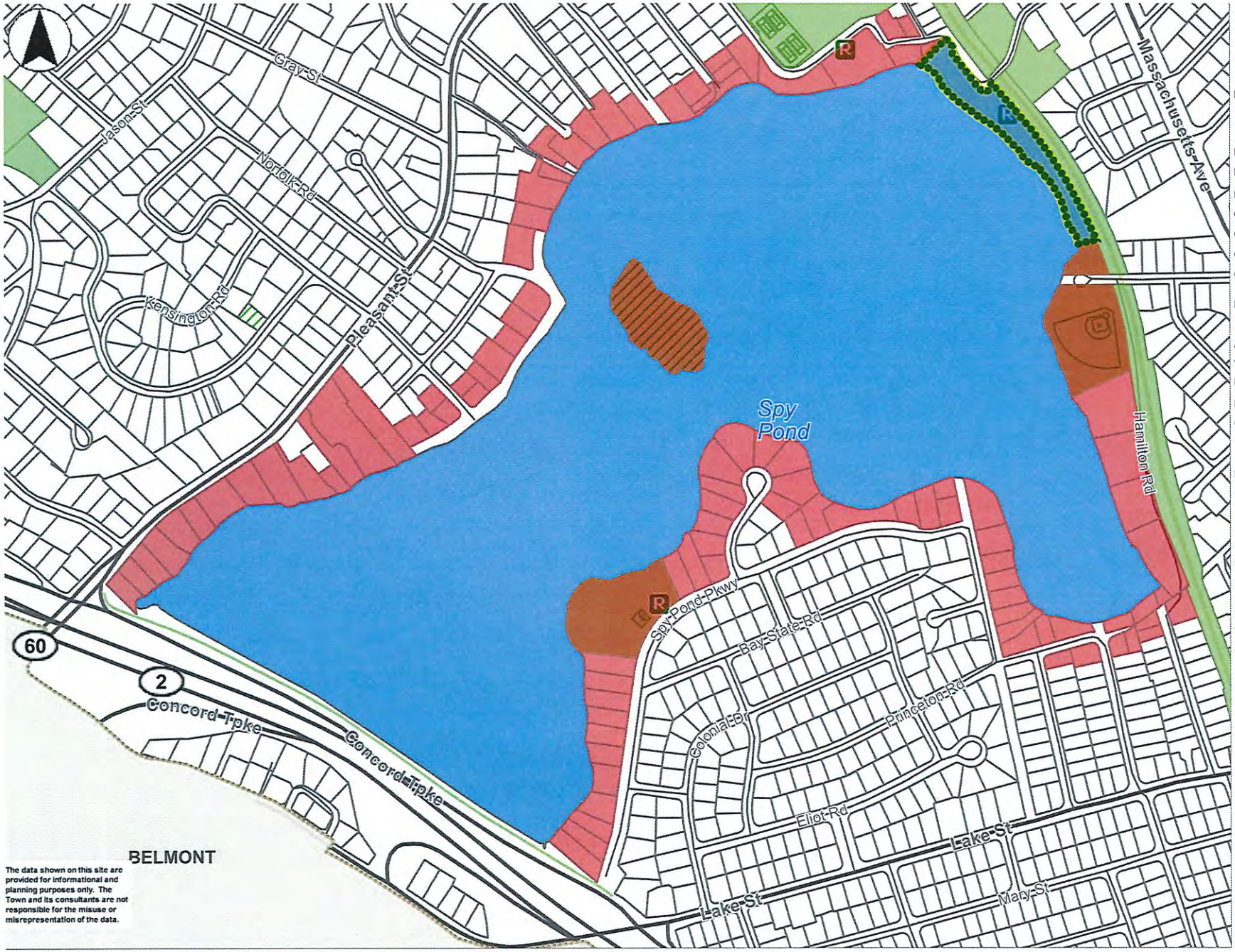
Date: May 11, 2021

Subject Property: SPY POND, Arlington, MA

Search Distance: 100 Feet - CONSERVATION

The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters to SPY POND within 100 feet.

Board of Assessors



0 660 1320 ft

Printed on 05/11/2021 at 11:03 AM

Abutters List
Date: May 11, 2021
Subject Property: Spy Pond
Search Distance: 100 Feet – Conservation

Prop ID: 10-5-6
Prop Location: 49 POND LN Arlington, MA
Owner: PHELPS CHRISTOPHER B & HEATHER
Co-Owner:
Mailing Address:
49 POND LANE
ARLINGTON, MA 02474

Prop ID: 10-5-7.A
Prop Location: 51-53 POND LN Arlington, MA
Owner: A.B.G.C. FRIENDS INC.
Co-Owner:
Mailing Address:
C/O DEREK CURRAN
60 POND LN
ARLINGTON, MA 02476

Prop ID: 10-5-9
Prop Location: 56 POND LN Arlington, MA
Owner: ARLINGTON ELKS BLDG CORP
Co-Owner:
Mailing Address:
56 POND LANE
ARLINGTON, MA 02474

Prop ID: 10.A-5-1
Prop Location: 46-48 POND LN UNIT 1 Arlington, MA
Owner: MORRISON LAI-KUEN & DONALD M
Co-Owner:
Mailing Address:
46 POND LN UNIT 1
ARLINGTON, MA 02474

Prop ID: 10.A-5-2
Prop Location: 46-48 POND LN UNIT 2 Arlington, MA
Owner: RUSSELL KAREN J
Co-Owner:
Mailing Address:
46 POND LANE UNIT 2
ARLINGTON, MA 02474

Prop ID: 12-1-1
Prop Location: 40-42 ALFRED RD Arlington, MA
Owner: PERO JAMES L--ETAL
Co-Owner: PERO BEVERLY J
Mailing Address:
43 CANDLEBERRY LANE
HARVARD, MA 01451

Prop ID: 121-1-8
Prop Location: 24-26 LAKEVIEW Arlington, MA
Owner: BOWES ROBERT E
Co-Owner:
Mailing Address:
26 LAKEVIEW
ARLINGTON, MA 02476

Prop ID: 121-2-10
Prop Location: 36 PEABODY RD Arlington, MA
Owner: JESSEN IAN
Co-Owner: HATCH ELIZA
Mailing Address:
36 PEABODY RD
ARLINGTON, MA 02476

Prop ID: 12-1-22
Prop Location: 41-43 PONDVIEW RD Arlington, MA
Owner: MURPHY KATHRYN & GLENN
Co-Owner: MURPHY EMMA & DITTO DREW
Mailing Address:
41-43 PONDVIEW RD
ARLINGTON, MA 02474

Prop ID: 121-2-9
Prop Location: 45 HOPKINS RD Arlington, MA
Owner: CAP GMBH
Co-Owner:
Mailing Address:
PO BOX 292
ARLINGTON, MA 02476

Prop ID: 121-3-11
Prop Location: 0-LOT HOPKINS RD Arlington, MA
Owner: TIFFANY ANDREW/CAROLYN
Co-Owner:
Mailing Address:
44 HOPKINS RD
ARLINGTON, MA 02476

Prop ID: 121-4-11
Prop Location: 0-LOT ADDISON ST Arlington, MA
Owner: TOWN OF ARLINGTON CHAP 111
Co-Owner: TOWN MANAGER
Mailing Address:
730 MASS AVE
ARLINGTON, MA 02476

Prop ID: 121-4-11.A
Prop Location: 0-LOT ADDISON ST Arlington, MA
Owner: TOWN OF ARLINGTON
Co-Owner:
Mailing Address:
730 MASS AVE
ARLINGTON, MA 02476

Prop ID: 121-4-12
Prop Location: 36 ADDISON ST Arlington, MA
Owner: CHASAN GWEN B
Co-Owner:
Mailing Address:
36 ADDISON STREET
ARLINGTON, MA 02476

Prop ID: 121-4-13
Prop Location: 34 ADDISON ST Arlington, MA
Owner: SMITH ANA R/TRUSTEE
Co-Owner: ANA SMITH TRUST
Mailing Address:
34 ADDISON ST
ARLINGTON, MA 02476

Prop ID: 121-4-9.A
Prop Location: 39 WELLINGTON ST UNIT A Arlington, MA
Owner: HOWARD PETER M & KEIKO
Co-Owner:
Mailing Address:
39 WELLINGTON ST #39
ARLINGTON, MA 02476

Prop ID: 121-4-9.B
Prop Location: 39 WELLINGTON ST UNIT B Arlington, MA
Owner: TABERNER AIMEE LAURA
Co-Owner:
Mailing Address:
41 WELLINGTON ST
ARLINGTON, MA 02476

Prop ID: 121-6-2
Prop Location: 0-LOT POND LN Arlington, MA
Owner: TOWN OF ARLINGTON PARK
Co-Owner:
Mailing Address:
730 MASS AVE
ARLINGTON, MA 02476

Prop ID: 121-7-1
Prop Location: 60 POND LN Arlington, MA
Owner: ARLINGTON BOYS CLUB INC
Co-Owner:
Mailing Address:
60 POND LANE
ARLINGTON, MA 02474

Prop ID: 121.A-3-10
Prop Location: 33 ADDISON ST UNIT 33 Arlington, MA
Owner: MACDONALD KYLE
Co-Owner:
Mailing Address:
33 ADDISON ST
ARLINGTON, MA 02476

Prop ID: 121.A-3-11
Prop Location: 33 ADDISON ST UNIT 35 Arlington, MA
Owner: LOUISE DOROTHY
Co-Owner:
Mailing Address:
35 ADDISON ST UNIT 2
ARLINGTON, MA 02476

Prop ID: 122-4-1
Prop Location: 10 CHAPMAN ST Arlington, MA
Owner: LOH SALLY WO-KWUN
Co-Owner:
Mailing Address:
10 CHAPMAN STREET
ARLINGTON, MA 02476

Prop ID: 122-4-10
Prop Location: 0-LOT SPRING VALLEY Arlington, MA
Owner: JARDINE ALICE A /TRUSTEE
Co-Owner: ALICE A JARDINE TRUST
Mailing Address:
21 SPRING VALLEY
ARLINGTON, MA 02476

Prop ID: 122-4-13.A
Prop Location: 25 SPRING VALLEY Arlington, MA
Owner: CARTER E EUGENE--ETAL
Co-Owner: RITA RODRIGUEZ
Mailing Address:
25 SPRING VALLEY
ARLINGTON, MA 02476

Prop ID: 122-4-16
Prop Location: 0-LOT SHORE RD Arlington, MA
Owner: CARTER E EUGENE--ETAL
Co-Owner: RITA RODRIGUEZ
Mailing Address:
25 SPRING VALLEY
ARLINGTON, MA 02476

Prop ID: 122-5-16.B
Prop Location: 19 LAKEVIEW Arlington, MA
Owner: BARBERA MARIANNE
Co-Owner:
Mailing Address:
19 LAKEVIEW
ARLINGTON, MA 02476

Prop ID: 122-5-17
Prop Location: 17-1/2 LAKEVIEW Arlington, MA
Owner: BOUDREAU MARK E &
Co-Owner: ZEILER KATHRYN M
Mailing Address:
17 LAKEVIEW ST # 1/2
ARLINGTON, MA 02476-8117

Prop ID: 122-6-10
Prop Location: 0-LOT SHORE RD Arlington, MA
Owner: MURDOCK GREGORY P
Co-Owner: EVANS MARA S
Mailing Address:
34 GOULD RD
ARLINGTON, MA 02476

Prop ID: 122-6-11
Prop Location: 34 GOULD RD Arlington, MA
Owner: MURDOCK GREGORY P
Co-Owner: EVANS MARA S
Mailing Address:
34 GOULD RD
ARLINGTON, MA 02476

Prop ID: 122-6-12
Prop Location: 30 GOULD RD Arlington, MA
Owner: GILLETTE JONATHON H/ TRUSTEE
Co-Owner: JONATHON H GILLETTE LIVING TR
Mailing Address:
30 GOULD ROAD
ARLINGTON, MA 02476

Prop ID: 122-6-6
Prop Location: 0-LOT CHAPMAN ST Arlington, MA
Owner: BERMAN JUDITH L/TRUSTEE
Co-Owner: JUDITH L BERMAN REVOCABLE TR
Mailing Address:
4 DEVEREAUX ST
ARLINGTON, MA 02476

Prop ID: 122-6-7
Prop Location: 0-LOT SHORE RD Arlington, MA
Owner: STARK MARGO D/ETAL
Co-Owner: FREUNDLICH DOUGLAS
Mailing Address:
8 DEVEREAUX STREET
ARLINGTON, MA 02476

Prop ID: 122-6-8.A
Prop Location: 0-LOT SHORE RD Arlington, MA
Owner: RICCI GERALDINE R
Co-Owner: RICCI STEPHEN J
Mailing Address:
10 DEVEREAUX ST
ARLINGTON, MA 02476

Prop ID: 122-6-9
Prop Location: 14 DEVEREAUX ST Arlington, MA
Owner: MACPHERSON WILLIAM
Co-Owner: LYDECKER KATHERINE
Mailing Address:
14 DEVEREAUX ST
ARLINGTON, MA 02476

Prop ID: 122-7-1
Prop Location: 0-LOT ELIZABETH ISLAND Arlington, MA
Owner: ARLINGTON LAND TRUST, INC
Co-Owner:
Mailing Address:
PO BOX 492
ARLINGTON, MA 02476

Prop ID: 123-2-1
Prop Location: 240 PLEASANT ST Arlington, MA
Owner: BALAZS MARIANNE E
Co-Owner:
Mailing Address:
19 ANNETT AVE
EDGEWATER, NJ 07020

Prop ID: 123-2-14.A
Prop Location: 21 GOULD RD Arlington, MA
Owner: SNODGRASS JENNIFER
Co-Owner: BELKNAP PETER C
Mailing Address:
21 GOULD ROAD
ARLINGTON, MA 02476

Prop ID: 123-2-15.A
Prop Location: 0-LOT GOULD RD Arlington, MA
Owner: SULLIVAN KARA
Co-Owner: LINDGREN JOHN LEE
Mailing Address:
25 GOULD RD
ARLINGTON, MA 02476

Prop ID: 123-2-16.A
Prop Location: 25 GOULD RD Arlington, MA
Owner: SULLIVAN KARA
Co-Owner: LINDGREN JOHN LEE
Mailing Address:
25 GOULD RD
ARLINGTON, MA 02476

Prop ID: 123-2-17
Prop Location: 0-LOT SHORE RD Arlington, MA
Owner: SULLIVAN KARA
Co-Owner: LINDGREN JOHN LEE
Mailing Address:
25 GOULD RD
ARLINGTON, MA 02476

Prop ID: 123-2-2.A
Prop Location: 232 PLEASANT ST UNIT A Arlington, MA
Owner: FRIIS JACOB & HYUN-A PARK
Co-Owner:
Mailing Address:
232 PLEASANT STREET
ARLINGTON, MA 02476

Prop ID: 123-2-2.B
Prop Location: 232 PLEASANT ST UNIT B Arlington, MA
Owner: DUFFY NIALL & SABINE
Co-Owner:
Mailing Address:
6704 WEMBERLY WAY
MCLEAN, VA 22101

Prop ID: 123-2-3
Prop Location: 224-226 PLEASANT ST Arlington, MA
Owner: PERELI JULIUS R & MARTHA G
Co-Owner:
Mailing Address:
224-226 PLEASANT ST
ARLINGTON, MA 02476

Prop ID: 123-2-4
Prop Location: 220 PLEASANT ST Arlington, MA
Owner: HIBBETT AKIKO Y/ TRUSTEE
Co-Owner: AKIKO HIBBETT FAMILY TRUST
Mailing Address:
C/O DAVID HIBBETT
48 OAK DR
UPTON, MA 01568

Prop ID: 123-2-6
Prop Location: 218 PLEASANT ST Arlington, MA
Owner: LIU YU-HSIOU
Co-Owner: ISIK IBRAHIM
Mailing Address:
218 PLEASANT ST
ARLINGTON, MA 02476

Prop ID: 123-2-6.E
Prop Location: 212 PLEASANT ST Arlington, MA
Owner: PAHIGIAN CHRISTINE
Co-Owner:
Mailing Address:
200 S BROADWAY
HASTINGS-ON-HUDSON, NY 10706

Prop ID: 123-2-7
Prop Location: 208 PLEASANT ST Arlington, MA
Owner: HARTES LLC
Co-Owner:
Mailing Address:
136 BOYLSTON ST UNIT 4
BOSTON, MA 02116

Prop ID: 123-2-7.A
Prop Location: 204-206 PLEASANT ST Arlington, MA
Owner: ARONSON RICHARD B/ TRUSTEE
Co-Owner: SIRAH REALTY TRUST
Mailing Address:
204 PLEASANT ST
ARLINGTON, MA 02476

Prop ID: 123-2-7.B
Prop Location: 210 PLEASANT ST Arlington, MA
Owner: HART ALEXIS C
Co-Owner:
Mailing Address:
208 PLEASANT ST
ARLINGTON, MA 02476

Prop ID: 12-4-1.A
Prop Location: 15 PRINCETON RD Arlington, MA
Owner: MUSIAL PETER M &
Co-Owner: MUSIAL-SIWEK MONIKA
Mailing Address:
15 PRINCETON RD
ARLINGTON, MA 02474

Prop ID: 12-4-2
Prop Location: 47 SPY POND LN Arlington, MA
Owner: CONNOLLY MICHAEL ROBERT
Co-Owner:
Mailing Address:
47 SPY POND LN
ARLINGTON, MA 02474

Prop ID: 12-4-2.A
Prop Location: 49 SPY POND LN Arlington, MA
Owner: SEAVER PROPERTIES LLC
Co-Owner:
Mailing Address:
215 LEXINGTON ST
WOBURN, MA 01801

Prop ID: 12-4-3
Prop Location: 11 PRINCETON RD Arlington, MA
Owner: FERBER BENJAMIN E &
Co-Owner: DONOFRIO AIMEE K
Mailing Address:
11 PRINCETON ROAD
ARLINGTON, MA 02474

Prop ID: 12-4-4
Prop Location: 9 PRINCETON RD Arlington, MA
Owner: CAMERON MELANIE
Co-Owner:
Mailing Address:
9 PRINCETON RD
ARLINGTON, MA 02474

Prop ID: 137-5-1
Prop Location: 244 PLEASANT ST Arlington, MA
Owner: ROSENFIELD BRUCE A/ TRUSTEE
Co-Owner: BERNARD G & GERALDINE R SEGAL
Mailing Address:
244 PLEASANT STREET
ARLINGTON, MA 02476

Prop ID: 137-5-2
Prop Location: 246 PLEASANT ST Arlington, MA
Owner: EYKAMP WILLIAM & MYRIEL C
Co-Owner:
Mailing Address:
246 PLEASANT STREET
ARLINGTON, MA 02476

Prop ID: 137-5-3
Prop Location: 248 PLEASANT ST Arlington, MA
Owner: YU ZHENHONG
Co-Owner: YU YUE
Mailing Address:
248 PLEASANT ST
ARLINGTON, MA 02476

Prop ID: 137-5-4
Prop Location: 252 PLEASANT ST Arlington, MA
Owner: SCHWEICH PETER
Co-Owner:
Mailing Address:
252 PLEASANT STREET
ARLINGTON, MA 02476

Prop ID: 137-5-5
Prop Location: 256 PLEASANT ST Arlington, MA
Owner: SMITH MAUREEN P
Co-Owner:
Mailing Address:
256 PLEASANT STREET
ARLINGTON, MA 02476

Prop ID: 18-9-1
Prop Location: 42 SPY POND PKWY Arlington, MA
Owner: GALVIN SEAN D/TRUSTEE
Co-Owner: 389 MASS AVE REALTY TRUST
Mailing Address:
630 HIGH STREET
MEDFORD, MA 02155

Prop ID: 18-9-2
Prop Location: 46 SPY POND PKWY Arlington, MA
Owner: GALVIN SEAN D & MARIMAR
Co-Owner:
Mailing Address:
46 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 18-9-3
Prop Location: 38 SPY POND PKWY Arlington, MA
Owner: HURD JOHN/DALE
Co-Owner:
Mailing Address:
38 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 18-9-4
Prop Location: 34 SPY POND PKWY Arlington, MA
Owner: CELLA JOSEPH A/STEVEN R
Co-Owner:
Mailing Address:
34 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 19-1-1
Prop Location: 50 SPY POND PKWY Arlington, MA
Owner: COOPER MARGO M
Co-Owner:
Mailing Address:
50 SPY POND PARKWAY
ARLINGTON, MA 02474

Prop ID: 19-1-10.A
Prop Location: 18 SHERATON PK Arlington, MA
Owner: LAKE G F & L C
Co-Owner:
Mailing Address:
18 SHERATON PARK
ARLINGTON, MA 02474

Prop ID: 19-1-11.A
Prop Location: 22 SHERATON PK Arlington, MA
Owner: PURCELL DANIEL A & ROBIN/TRS
Co-Owner: THE PURCELL TRUST
Mailing Address:
22 SHERATON PARK
ARLINGTON, MA 02474

Prop ID: 19-1-12
Prop Location: 31 SHERATON PK Arlington, MA
Owner: SACCO ELAINE M
Co-Owner:
Mailing Address:
24 SHERATON PK
ARLINGTON, MA 02474

Prop ID: 19-1-13
Prop Location: 27 SHERATON PK Arlington, MA
Owner: NOYES ROBERT W-HARRIET T
Co-Owner:
Mailing Address:
27 SHERATON PK
ARLINGTON, MA 02474

Prop ID: 19-1-14
Prop Location: 23 SHERATON PK Arlington, MA
Owner: MIETTINEN PASI P
Co-Owner: GARRETT KATIE
Mailing Address:
23 SHERATON PARK
ARLINGTON, MA 02474

Prop ID: 19-1-15
Prop Location: 19 SHERATON PK Arlington, MA
Owner: MAVALVALA NERGIS
Co-Owner: KHAN AIDA
Mailing Address:
19 SHERATON PARK
ARLINGTON, MA 02474

Prop ID: 19-1-16
Prop Location: 15 SHERATON PK Arlington, MA
Owner: CEPPI FRANCIS G/TR
Co-Owner: FRANCIS G CEPPI REVOCABLE
Mailing Address:
15 SHERATON PARK
ARLINGTON, MA 02474

Prop ID: 19-1-2
Prop Location: 54 SPY POND PKWY Arlington, MA
Owner: DE VENECIA RONALD K
Co-Owner:
Mailing Address:
54 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 19-1-22.A
Prop Location: 96 SPY POND PKWY Arlington, MA
Owner: ZIPES JANET L
Co-Owner:
Mailing Address:
96 SPY POND PKWY.
ARLINGTON, MA 02474

Prop ID: 19-1-23.A
Prop Location: 100 SPY POND PKWY Arlington, MA
Owner: TIBBETTS ALETTA & RICHARD
Co-Owner:
Mailing Address:
20 ELIOT RD
ARLINGTON, MA 02474

Prop ID: 19-1-24.B
Prop Location: 104 SPY POND PKWY Arlington, MA
Owner: HERMAN BETSY H/ LIFE ESTATE
Co-Owner:
Mailing Address:
104 SPY POND PARKWAY
ARLINGTON, MA 02474

Prop ID: 19-1-3
Prop Location: 0-LOT SPY POND PKWY Arlington, MA
Owner: KELWYN MANOR ASSOCIATION IN
Co-Owner:
Mailing Address:
23 SHERATON PK
ARLINGTON, MA 02474

Prop ID: 19-1-4
Prop Location: 74 SPY POND PKWY Arlington, MA
Owner: BARBER BRADFORD C
Co-Owner:
Mailing Address:
74 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 19-1-5
Prop Location: 76 SPY POND PKWY Arlington, MA
Owner: PRESTON ALAN/LUANA TRUSTEE
Co-Owner: 76 SPY POND PKWY TRUST
Mailing Address:
76 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 19-1-6
Prop Location: 2 SHERATON PK Arlington, MA
Owner: THOMAS DARCY GRANT/ TRUSTEE
Co-Owner: DARCY GRANT THOMAS LIVING TR
Mailing Address:
2 SHERATON PK
ARLINGTON, MA 02474

Prop ID: 19-1-7
Prop Location: 6 SHERATON PK Arlington, MA
Owner: FINGER JONATHAN R &
Co-Owner: KYCIA CAROL ANNE
Mailing Address:
6 SHERATON PK
ARLINGTON, MA 02474

Prop ID: 19-1-8
Prop Location: 10 SHERATON PK Arlington, MA
Owner: PETRYSHEN TRACEY
Co-Owner:
Mailing Address:
10 SHERATON PK
ARLINGTON, MA 02474

Prop ID: 19-1-9
Prop Location: 14 SHERATON PK Arlington, MA
Owner: TRIBE CAROLYN A
Co-Owner:
Mailing Address:
5 ASH STREET
CAMBRIDGE, MA 02138

Prop ID: 20-3-1
Prop Location: 114 SPY POND PKWY Arlington, MA
Owner: CAHILL RICHARD
Co-Owner:
Mailing Address:
114 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 20-3-2
Prop Location: 0-LOT SPY POND PKWY Arlington, MA
Owner: BALAZS ANDRE T
Co-Owner:
Mailing Address:
158 MERCER ST
10TH FLOOR
NEW YORK, NY 10012

Prop ID: 20-3-3
Prop Location: 122 SPY POND PKWY Arlington, MA
Owner: FANTASIA SALVATORE/FRANCA
Co-Owner:
Mailing Address:
122 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 20-3-4
Prop Location: 0-LOT SPY POND LN Arlington, MA
Owner: FANTASIA SALVATORE C/FRANCA
Co-Owner:
Mailing Address:
122 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 20-5-1
Prop Location: 71 SPY POND LN Arlington, MA
Owner: TURANO RONA B
Co-Owner:
Mailing Address:
71 SPY POND LANE
ARLINGTON, MA 02474

Prop ID: 20-5-1.A
Prop Location: 65 SPY POND LN Arlington, MA
Owner: DE LEO JOHN M/TRUSTEE
Co-Owner: DELEO FAMILY TRUST
Mailing Address:
65 SPY POND LANE
ARLINGTON, MA 02474

Prop ID: 20-5-2
Prop Location: 61 SPY POND LN Arlington, MA
Owner: CHADWICK DANIEL/ETAL
Co-Owner: GOLDSTEIN ROBIN E
Mailing Address:
61 SPY POND LANE
ARLINGTON, MA 02474

Prop ID: 20-5-3
Prop Location: 57 SPY POND LN Arlington, MA
Owner: KAPLAN WILLIAM H
Co-Owner:
Mailing Address:
57 SPY POND LANE
ARLINGTON, MA 02474

Prop ID: 20-5-4
Prop Location: 53 SPY POND LN Arlington, MA
Owner: LOEFFLER EVAN/TRUSTEE
Co-Owner: SHAYNA W LOEFFLER IRREVOCABLE
Mailing Address:
53 SPY POND LANE
ARLINGTON, MA 02474

Prop ID: 20.A-1-101
Prop Location: 18 HAMILTON RD UNIT 101 Arlington, MA
Owner: HAINES LINDA J/ TRUSTEE
Co-Owner: HAINES FAMILY TRUST
Mailing Address:
18 HAMILTON RD #101
ARLINGTON, MA 02474

Prop ID: 20.A-1-102
Prop Location: 18 HAMILTON RD UNIT 102 Arlington, MA
Owner: KATES MICHAEL S
Co-Owner:
Mailing Address:
21 GREYSTONE CT
BURLINGTON, MA 01803

Prop ID: 20.A-1-103
Prop Location: 18 HAMILTON RD UNIT 103 Arlington, MA
Owner: BETTENCOURT PAULA/MARIO
Co-Owner:
Mailing Address:
43 AMSDEN
ARLINGTON, MA 02474

Prop ID: 20.A-1-104
Prop Location: 18 HAMILTON RD UNIT 104 Arlington, MA
Owner: MC EWEN KAREN B
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #104
ARLINGTON, MA 02474

Prop ID: 20.A-1-105
Prop Location: 18 HAMILTON RD UNIT 105 Arlington, MA
Owner: BAYSTATE CONDOMINIUMS LLC
Co-Owner:
Mailing Address:
956 MASS AVE
LEXINGTON, MA 02420

Prop ID: 20.A-1-106
Prop Location: 18 HAMILTON RD UNIT 106 Arlington, MA
Owner: BOJANIC IRENA
Co-Owner: SEGRT JANKO
Mailing Address:
115 BACON ST
NATICK, MA 01760

Prop ID: 20.A-1-107
Prop Location: 18 HAMILTON RD UNIT 107 Arlington, MA
Owner: STALCUP WILLIAM S
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #107
ARLINGTON, MA 02474

Prop ID: 20.A-1-108
Prop Location: 18 HAMILTON RD UNIT 108 Arlington, MA
Owner: BASSALEH JOSEPH &
Co-Owner: DECARLO MADELEINE
Mailing Address:
18 HAMILTON RD #108
ARLINGTON, MA 02474

Prop ID: 20.A-1-201
Prop Location: 18 HAMILTON RD UNIT 201 Arlington, MA
Owner: POLLINA VINCENT J
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #201
ARLINGTON, MA 02474

Prop ID: 20.A-1-202
Prop Location: 18 HAMILTON RD UNIT 202 Arlington, MA
Owner: CADWGAN JOHONNA L
Co-Owner:
Mailing Address:
18 HAMILTON RD #202
ARLINGTON, MA 02474

Prop ID: 20.A-1-203
Prop Location: 18 HAMILTON RD UNIT 203 Arlington, MA
Owner: ESTEVES ISIS E
Co-Owner:
Mailing Address:
12 CONIFER LN
AMHERST, NH 03031

Prop ID: 20.A-1-204
Prop Location: 18 HAMILTON RD UNIT 204 Arlington, MA
Owner: HARRIS ELWYN EVERETT
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #204
ARLINGTON, MA 02474

Prop ID: 20.A-1-205
Prop Location: 18 HAMILTON RD UNIT 205 Arlington, MA
Owner: POOR RIVA/ TRUSTEE
Co-Owner: RIVA POOR 2016 TRUST
Mailing Address:
73 KIRKLAND ST
CAMBRIDGE, MA 02138

Prop ID: 20.A-1-206
Prop Location: 18 HAMILTON RD UNIT 206 Arlington, MA
Owner: STRICKLAND BARBARA B
Co-Owner:
Mailing Address:
18 HAMILTON RD UNIT 206
ARLINGTON, MA 02474

Prop ID: 20.A-1-207
Prop Location: 18 HAMILTON RD UNIT 207 Arlington, MA
Owner: MAHER JAMES M/ TRUSTEE
Co-Owner: 18 HAMILTON REALTY TRUST
Mailing Address:
966 BROADWAY
SOMERVILLE, MA 02144

Prop ID: 20.A-1-208
Prop Location: 18 HAMILTON RD UNIT 208 Arlington, MA
Owner: ALBERT ALEXANDER C
Co-Owner:
Mailing Address:
18 HAMILTON RD #208
ARLINGTON, MA 02474

Prop ID: 20.A-1-301
Prop Location: 18 HAMILTON RD UNIT 301 Arlington, MA
Owner: KALBER VIVIAN A/TRUSTEE
Co-Owner: VIVIAN A KALBER REVOCABLE TR
Mailing Address:
18 HAMILTON ROAD #301
ARLINGTON, MA 02474

Prop ID: 20.A-1-302
Prop Location: 18 HAMILTON RD UNIT 302 Arlington, MA
Owner: ESPOSITO PAUL
Co-Owner:
Mailing Address:
776 MAIN STREET
WAKEFIELD, MA 01880

Prop ID: 20.A-1-303
Prop Location: 18 HAMILTON RD UNIT 303 Arlington, MA
Owner: CROMER MACEDO LLC
Co-Owner:
Mailing Address:
15 VIRGINIA ST
SOMERVILLE, MA 02145

Prop ID: 20.A-1-304
Prop Location: 18 HAMILTON RD UNIT 304 Arlington, MA
Owner: ONEIL NANCY
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #304
ARLINGTON, MA 02474

Prop ID: 20.A-1-305
Prop Location: 18 HAMILTON RD UNIT 305 Arlington, MA
Owner: OWEN ELIZABETH M
Co-Owner:
Mailing Address:
18 HAMILTON RD #305
ARLINGTON, MA 02474

Prop ID: 20.A-1-306
Prop Location: 18 HAMILTON RD UNIT 306 Arlington, MA
Owner: TORRESYAP GAY
Co-Owner:
Mailing Address:
18 HAMILTON RD UNIT 306
ARLINGTON, MA 02474

Prop ID: 20.A-1-307
Prop Location: 18 HAMILTON RD UNIT 307 Arlington, MA
Owner: DOUGAN BARBARA J/ LIFE ESTATE
Co-Owner:
Mailing Address:
18 HAMILTON ROAD
UNIT 307
ARLINGTON, MA 02474

Prop ID: 20.A-1-308
Prop Location: 18 HAMILTON RD UNIT 308 Arlington, MA
Owner: CLARK LINDA M/ TRUSTEE
Co-Owner: LINDA M CLARK REALTY TRUST
Mailing Address:
18 HAMILTON RD #308
ARLINGTON, MA 02474

Prop ID: 20.A-1-401
Prop Location: 18 HAMILTON RD UNIT 401 Arlington, MA
Owner: FINELLI ALYCE
Co-Owner:
Mailing Address:
177 PEMBERTON ST UNIT 14
CAMBRIDGE, MA 02140

Prop ID: 20.A-1-402
Prop Location: 18 HAMILTON RD UNIT 402 Arlington, MA
Owner: LIU YANG
Co-Owner: MIN YAO
Mailing Address:
26 LEDGELAWN AVE
LEXINGTON, MA 02420

Prop ID: 20.A-1-403
Prop Location: 18 HAMILTON RD UNIT 403 Arlington, MA
Owner: MEADOWS JULIE A
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #403
ARLINGTON, MA 02474

Prop ID: 20.A-1-404
Prop Location: 18 HAMILTON RD UNIT 404 Arlington, MA
Owner: KOLEV VIHREN N
Co-Owner: KOLEVA ROSITSA
Mailing Address:
17 REED ST #1
ARLINGTON, MA 02474

Prop ID: 20.A-1-405
Prop Location: 18 HAMILTON RD UNIT 405 Arlington, MA
Owner: KWAK MICHELLE C
Co-Owner:
Mailing Address:
511 TUMBLING HAWK
ACTON, MA 01718

Prop ID: 20.A-1-406
Prop Location: 18 HAMILTON RD UNIT 406 Arlington, MA
Owner: MURPHY KATHERINE
Co-Owner: HERBERT PATRICIA
Mailing Address:
18 HAMILTON RD #406
ARLINGTON, MA 02474

Prop ID: 20.A-1-407
Prop Location: 18 HAMILTON RD UNIT 407 Arlington, MA
Owner: WALSH LAUREN/ TRUSTEE
Co-Owner: SPY POND CONDO TRUST
Mailing Address:
144 WHITE ST
BELMONT, MA 02478

Prop ID: 20.A-1-408
Prop Location: 18 HAMILTON RD UNIT 408 Arlington, MA
Owner: GOODMAN THEODORE & CHIKAKO/ TRS
Co-Owner: CHIKAKO GOODMAN REVOCABLE TR
Mailing Address:
18 HAMILTON RD UNIT 408
ARLINGTON, MA 02474

Prop ID: 20.A-1-501
Prop Location: 18 HAMILTON RD UNIT 501 Arlington, MA
Owner: MOREIRA JOSEPH
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #501
ARLINGTON, MA 02474

Prop ID: 20.A-1-502
Prop Location: 18 HAMILTON RD UNIT 502 Arlington, MA
Owner: KLEIN MARA L
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #502
ARLINGTON, MA 02474

Prop ID: 20.A-1-503
Prop Location: 18 HAMILTON RD UNIT 503 Arlington, MA
Owner: LAHAIE CLAUDETTE M
Co-Owner:
Mailing Address:
83 SASSAFRAS ST
WELLS, ME 04090

Prop ID: 20.A-1-504
Prop Location: 18 HAMILTON RD UNIT 504 Arlington, MA
Owner: COTRONEO VINCENZO
Co-Owner:
Mailing Address:
18 HAMILTON RD #504
ARLINGTON, MA 02474

Prop ID: 20.A-1-505
Prop Location: 18 HAMILTON RD UNIT 505 Arlington, MA
Owner: GOYAL KAPISH
Co-Owner:
Mailing Address:
858 POINT WAY
VA BEACH, VA 23462

Prop ID: 20.A-1-506
Prop Location: 18 HAMILTON RD UNIT 506 Arlington, MA
Owner: TOPLIN HOLDEN &
Co-Owner: YANG ZHENYAN
Mailing Address:
18 HAMILTON ROAD #506
ARLINGTON, MA 02474

Prop ID: 20.A-1-507
Prop Location: 18 HAMILTON RD UNIT 507 Arlington, MA
Owner: POST ARJAN
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #507
ARLINGTON, MA 02474

Prop ID: 20.A-1-508
Prop Location: 18 HAMILTON RD UNIT 508 Arlington, MA
Owner: OHN KIMBERLY
Co-Owner:
Mailing Address:
18 HAMILTON RD
UNIT 508
ARLINGTON, MA 02474

Prop ID: 20.A-2-101
Prop Location: 20 HAMILTON RD UNIT 101 Arlington, MA
Owner: PATEY SARA
Co-Owner:
Mailing Address:
8 PARKER RD
SHIRLEY, MA 01464

Prop ID: 20.A-2-102
Prop Location: 20 HAMILTON RD UNIT 102 Arlington, MA
Owner: SULLIVAN DIANE M
Co-Owner:
Mailing Address:
20 HAMILTON RD #102
ARLINGTON, MA 02474

Prop ID: 20.A-2-103
Prop Location: 20 HAMILTON RD UNIT 103 Arlington, MA
Owner: BETTENCOURT MARIO S--ETAL
Co-Owner: BETTENCOURT PAULA M
Mailing Address:
43 AMSDEN STREET
ARLINGTON, MA 02474

Prop ID: 20.A-2-104
Prop Location: 20 HAMILTON RD UNIT 104 Arlington, MA
Owner: CARROLL THOMAS J JR/ TRUSTEE
Co-Owner: MOCCIA IRREVOCABLE TRUST
Mailing Address:
132 ROBBINS RD
ARLINGTON, MA 02476

Prop ID: 20.A-2-105
Prop Location: 22 HAMILTON RD UNIT 105 Arlington, MA
Owner: SEGRT JANKO
Co-Owner: BOJANIC IRENA
Mailing Address:
115 BACON ST
NATICK, MA 01760

Prop ID: 20.A-2-106
Prop Location: 22 HAMILTON RD UNIT 106 Arlington, MA
Owner: ZHAO LIJIAN
Co-Owner: KANTOR MARK
Mailing Address:
75 BEVERLY RD
ARLINGTON, MA 02474

Prop ID: 20.A-2-107
Prop Location: 22 HAMILTON RD UNIT 107 Arlington, MA
Owner: MARGOLIN BARRY W
Co-Owner:
Mailing Address:
22 HAMILTON ROAD #107
ARLINGTON, MA 02474

Prop ID: 20.A-2-108
Prop Location: 22 HAMILTON RD UNIT 108 Arlington, MA
Owner: FUCHS DEBORAH
Co-Owner:
Mailing Address:
PO BOX 23
PETERSHAM, MA 01366

Prop ID: 20.A-2-201
Prop Location: 20 HAMILTON RD UNIT 201 Arlington, MA
Owner: O CONNOR WILLIAM J
Co-Owner:
Mailing Address:
20 HAMILTON ROAD #201
ARLINGTON, MA 02474

Prop ID: 20.A-2-202
Prop Location: 20 HAMILTON RD UNIT 202 Arlington, MA
Owner: OBRIEN HAYLEY E
Co-Owner:
Mailing Address:
20 HAMILTON ROAD #202
ARLINGTON, MA 02474

Prop ID: 20.A-2-203
Prop Location: 20 HAMILTON RD UNIT 203 Arlington, MA
Owner: SULLIVAN DIANE M
Co-Owner: KNOTT FRANCES K
Mailing Address:
20 HAMILTON RD UNIT 102
ARLINGTON, MA 02474

Prop ID: 20.A-2-204
Prop Location: 20 HAMILTON RD UNIT 204 Arlington, MA
Owner: MATHIASEN KAREN
Co-Owner:
Mailing Address:
20 HAMILTON ROAD #204
ARLINGTON, MA 02474

Prop ID: 20.A-2-205
Prop Location: 22 HAMILTON RD UNIT 205 Arlington, MA
Owner: HALLIDAY MARK
Co-Owner:
Mailing Address:
54 BRANTWOOD RD
ARLINGTON, MA 02476

Prop ID: 20.A-2-206
Prop Location: 22 HAMILTON RD UNIT 206 Arlington, MA
Owner: TINCH PETER M
Co-Owner:
Mailing Address:
22 HAMILTON ROAD #206
ARLINGTON, MA 02474

Prop ID: 20.A-2-207
Prop Location: 22 HAMILTON RD UNIT 207 Arlington, MA
Owner: GARDNER P J
Co-Owner:
Mailing Address:
22 HAMILTON ROAD #207
ARLINGTON, MA 02474

Prop ID: 20.A-2-208
Prop Location: 22 HAMILTON RD UNIT 208 Arlington, MA
Owner: CARROLL THOMAS J/CORINNE K
Co-Owner:
Mailing Address:
132 ROBBINS RD
ARLINGTON, MA 02476

Prop ID: 20.A-2-301
Prop Location: 20 HAMILTON RD UNIT 301 Arlington, MA
Owner: RANDOLPH ANNE
Co-Owner:
Mailing Address:
20 HAMILTON ROAD #301
ARLINGTON, MA 02474

Prop ID: 20.A-2-302
Prop Location: 20 HAMILTON RD UNIT 302 Arlington, MA
Owner: BODNYA RAISA/LEONID/TRS
Co-Owner: BODNYA TRUST
Mailing Address:
20 HAMILTON ROAD #302
ARLINGTON, MA 02474

Prop ID: 20.A-2-303
Prop Location: 20 HAMILTON RD UNIT 303 Arlington, MA
Owner: ROCKLAND TRUST COMPANY/ TRS
Co-Owner: ROCHELLE ANDREA WOLFE TRUST
Mailing Address:
2036 WASHINGTON ST
HANOVER, MA 02339

Prop ID: 20.A-2-304
Prop Location: 20 HAMILTON RD UNIT 304 Arlington, MA
Owner: BROWN GERDA
Co-Owner:
Mailing Address:
20 HAMILTON ROAD #304
ARLINGTON, MA 02474

Prop ID: 20.A-2-305
Prop Location: 22 HAMILTON RD UNIT 305 Arlington, MA
Owner: JACOBSON ALAN J
Co-Owner:
Mailing Address:
225 COOLIDGE AVE #106
WATERTOWN, MA 02472

Prop ID: 20.A-2-306
Prop Location: 22 HAMILTON RD UNIT 306 Arlington, MA
Owner: SULLIVAN MARY F
Co-Owner: C/O CONLIN
Mailing Address:
7 DEXTER ROAD
WELLESLEY, MA 02482

Prop ID: 20.A-2-307
Prop Location: 22 HAMILTON RD UNIT 307 Arlington, MA
Owner: FAIOLA CAROL
Co-Owner:
Mailing Address:
22 HAMILTON ROAD #307
ARLINGTON, MA 02474

Prop ID: 20.A-2-308
Prop Location: 22 HAMILTON RD UNIT 308 Arlington, MA
Owner: GILMAN LISA R
Co-Owner:
Mailing Address:
22 HAMILTON ROAD #308
ARLINGTON, MA 02474

Prop ID: 20.A-2-401
Prop Location: 20 HAMILTON RD UNIT 401 Arlington, MA
Owner: FRASER ELIZABETH G
Co-Owner:
Mailing Address:
20 HAMILTON RD #401
ARLINGTON, MA 02474

Prop ID: 20.A-2-402
Prop Location: 22 HAMILTON RD UNIT 402 Arlington, MA
Owner: LIEM SIOE L
Co-Owner:
Mailing Address:
22 HAMILTON ROAD #402
ARLINGTON, MA 02474

Prop ID: 20.A-3-101
Prop Location: 30 HAMILTON RD UNIT 101 Arlington, MA
Owner: FOLEY DENNIS P
Co-Owner:
Mailing Address:
30 HAMILTON RD #101
ARLINGTON, MA 02474

Prop ID: 20.A-3-102
Prop Location: 30 HAMILTON RD UNIT 102 Arlington, MA
Owner: LEUNG EILEEN
Co-Owner: DO HIEN VAN
Mailing Address:
32 PILGRAM RD
BELMONT, MA 02478

Prop ID: 20.A-3-103
Prop Location: 30 HAMILTON RD UNIT 103 Arlington, MA
Owner: YOU GO GIRL! LLC
Co-Owner:
Mailing Address:
38 BOWDOIN ST
CAMBRIDGE, MA 02138

Prop ID: 20.A-3-104
Prop Location: 30 HAMILTON RD UNIT 104 Arlington, MA
Owner: BRASGO LLC
Co-Owner:
Mailing Address:
17 BURROUGHS RD
LEXINGTON, MA 02420

Prop ID: 20.A-3-105
Prop Location: 32 HAMILTON RD UNIT 105 Arlington, MA
Owner: ELLIS ELIZABETH ANN
Co-Owner:
Mailing Address:
1337 MASS AVE #134
ARLINGTON, MA 02476

Prop ID: 20.A-3-106
Prop Location: 32 HAMILTON RD UNIT 106 Arlington, MA
Owner: FLETCHER WILLIAM B
Co-Owner:
Mailing Address:
32 HAMILTON ROAD #106
ARLINGTON, MA 02474

Prop ID: 20.A-3-107
Prop Location: 32 HAMILTON RD UNIT 107 Arlington, MA
Owner: CUMMINS JOHN J JR & STACIA J/
Co-Owner: TRS/SUSAN J CUMMINS FAMILY
Mailing Address:
14 RADCLIFFE RD
ARLINGTON, MA 02474

Prop ID: 20.A-3-108
Prop Location: 32 HAMILTON RD UNIT 108 Arlington, MA
Owner: MASON REBECCA
Co-Owner:
Mailing Address:
32 HAMILTON RD UNIT 108
ARLINGTON, MA 02474

Prop ID: 20.A-3-201
Prop Location: 30 HAMILTON RD UNIT 201 Arlington, MA
Owner: TSERING LHAMO
Co-Owner:
Mailing Address:
4 BRIDLE PATH
SUDBURY, MA 01776

Prop ID: 20.A-3-202
Prop Location: 30 HAMILTON RD UNIT 202 Arlington, MA
Owner: LOUNKINE EUGEN &
Co-Owner: WANG YUAN
Mailing Address:
30 HAMILTON RD UNIT 202
ARLINGTON, MA 02474

Prop ID: 20.A-3-203
Prop Location: 30 HAMILTON RD UNIT 203 Arlington, MA
Owner: O`DONNELL AGNES E & NICHOLAS
Co-Owner: TRS/ AGNES E O`DONNELL 2017
Mailing Address:
30 HAMILTON RD #203
ARLINGTON, MA 02474

Prop ID: 20.A-3-204
Prop Location: 30 HAMILTON RD UNIT 204 Arlington, MA
Owner: MC CORMICK GAIL T/TRUSTEE
Co-Owner: GAIL MC CORMICK TRUST
Mailing Address:
30 HAMILTON RD UNIT 204
ARLINGTON, MA 02474

Prop ID: 20.A-3-205
Prop Location: 32 HAMILTON RD UNIT 205 Arlington, MA
Owner: DE LEO JOSEPH F &
Co-Owner: MANCA MARYBETH
Mailing Address:
188 DALTON RD
BELMONT, MA 02478

Prop ID: 20.A-3-206
Prop Location: 32 HAMILTON RD UNIT 206 Arlington, MA
Owner: SELANDER NANCY
Co-Owner:
Mailing Address:
32 HAMILTON RD #206
ARLINGTON, MA 02474

Prop ID: 20.A-3-207
Prop Location: 32 HAMILTON RD UNIT 207 Arlington, MA
Owner: SCHLEGEL FABRICE
Co-Owner:
Mailing Address:
18 YERXA RD #2
CAMBRIDGE, MA 02140

Prop ID: 20.A-3-208
Prop Location: 32 HAMILTON RD UNIT 208 Arlington, MA
Owner: SNOW JEANNE J/TRUSTEE
Co-Owner: JEANNE SNOW 2005 TRUST
Mailing Address:
32 HAMILTON ROAD #208
ARLINGTON, MA 02474

Prop ID: 20.A-3-301
Prop Location: 30 HAMILTON RD UNIT 301 Arlington, MA
Owner: CASO MICHAEL A
Co-Owner:
Mailing Address:
30 HAMILTON ROAD #301
ARLINGTON, MA 02474

Prop ID: 20.A-3-302
Prop Location: 30 HAMILTON RD UNIT 302 Arlington, MA
Owner: CONSTABLE ROBERT
Co-Owner:
Mailing Address:
343 CODDINGTON RD
ITHACA, NY 14850

Prop ID: 20.A-3-303
Prop Location: 30 HAMILTON RD UNIT 303 Arlington, MA
Owner: LISCO THOMAS E
Co-Owner:
Mailing Address:
30 HAMILTON ROAD #303
ARLINGTON, MA 02474

Prop ID: 20.A-3-304
Prop Location: 30 HAMILTON RD UNIT 304 Arlington, MA
Owner: SCRIBNER FRED C III
Co-Owner:
Mailing Address:
PO BOX 31
PORTLAND, ME 04112

Prop ID: 20.A-3-305
Prop Location: 32 HAMILTON RD UNIT 305 Arlington, MA
Owner: ABBOTT MARK F
Co-Owner:
Mailing Address:
32 HAMILTON RD #305
ARLINGTON, MA 02476

Prop ID: 20.A-3-306
Prop Location: 32 HAMILTON RD UNIT 306 Arlington, MA
Owner: HUANG LI
Co-Owner:
Mailing Address:
32 HAMILTON ROAD #32-306
ARLINGTON, MA 02474

Prop ID: 20.A-3-307
Prop Location: 32 HAMILTON RD UNIT 307 Arlington, MA
Owner: CATALDO LILLIAN
Co-Owner: M/T CATALDO HENRY J
Mailing Address:
15R CHANDLER ST
SOMERVILLE, MA 02144

Prop ID: 20.A-3-308
Prop Location: 32 HAMILTON RD UNIT 308 Arlington, MA
Owner: DIESING LOIS R / ETAL / TRS
Co-Owner: LOIS R DIESING TRUST
Mailing Address:
32 HAMILTON ROAD #308
ARLINGTON, MA 02474

Prop ID: 20.A-3-401
Prop Location: 30 HAMILTON RD UNIT 401 Arlington, MA
Owner: TASHIRO MASAKAZU & YASUHISA
Co-Owner:
Mailing Address:
PO BOX 410042
EAST CAMBRIDGE, MA 02141

Prop ID: 20.A-3-402
Prop Location: 32 HAMILTON RD UNIT 402 Arlington, MA
Owner: GROSSMAN KAREN L
Co-Owner:
Mailing Address:
32 HAMILTON ROAD #402
ARLINGTON, MA 02474

Prop ID: 20.A-4-101
Prop Location: 34 HAMILTON RD UNIT 101 Arlington, MA
Owner: VANDIVIER LEE ELLIOT
Co-Owner: HSIAO MINGHUA
Mailing Address:
34 HAMILTON RD #101
ARLINGTON, MA 02474

Prop ID: 20.A-4-102
Prop Location: 34 HAMILTON RD UNIT 102 Arlington, MA
Owner: BETTS ALLISON
Co-Owner:
Mailing Address:
5701 AVENIDA CHIQUITA NW
ALBUQUERQUE, NM 87120

Prop ID: 20.A-4-103
Prop Location: 34 HAMILTON RD UNIT 103 Arlington, MA
Owner: CONROY KRISTINA M
Co-Owner:
Mailing Address:
34 HAMILTON ROAD UNIT 103
ARLINGTON, MA 02474

Prop ID: 20.A-4-104
Prop Location: 34 HAMILTON RD UNIT 104 Arlington, MA
Owner: CHIVUKULA RAMAKRISHNA
Co-Owner: MALLAPRAGADA SOUJANYA G
Mailing Address:
21 BISHOP RD
SHARON, MA 02067

Prop ID: 20.A-4-105
Prop Location: 34 HAMILTON RD UNIT 105 Arlington, MA
Owner: BRAIDA LOUIS D
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #105
ARLINGTON, MA 02474

Prop ID: 20.A-4-106
Prop Location: 34 HAMILTON RD UNIT 106 Arlington, MA
Owner: ALEXANDER ROBERT BRUCE
Co-Owner: HUANG ADRIAN
Mailing Address:
53 PAUL REVERE RD
LEXINGTON, MA 02421

Prop ID: 20.A-4-107
Prop Location: 34 HAMILTON RD UNIT 107 Arlington, MA
Owner: BRAIDA LOUIS D
Co-Owner:
Mailing Address:
34 HAMILTON ROAD
UNIT 105
ARLINGTON, MA 02474

Prop ID: 20.A-4-108
Prop Location: 34 HAMILTON RD UNIT 108 Arlington, MA
Owner: HUANG ADRIAN
Co-Owner: ALEXANDER ROBERT BRUCE
Mailing Address:
53 PAUL REVERE RD
LEXINGTON, MA 02421

Prop ID: 20.A-4-109
Prop Location: 34 HAMILTON RD UNIT 109 Arlington, MA
Owner: BETTENCOURT MARIO & PAULA
Co-Owner:
Mailing Address:
43 AMSDEN STREET
ARLINGTON, MA 02474

Prop ID: 20.A-4-110
Prop Location: 34 HAMILTON RD UNIT 110 Arlington, MA
Owner: JOHNSON DEREK S
Co-Owner:
Mailing Address:
2393 LAKE SHORE ROAD #36
GILFORD, NH 03249

Prop ID: 20.A-4-201
Prop Location: 34 HAMILTON RD UNIT 201 Arlington, MA
Owner: FENNER MARGARET L
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #201
ARLINGTON, MA 02474

Prop ID: 20.A-4-202
Prop Location: 34 HAMILTON RD UNIT 202 Arlington, MA
Owner: SULLIVAN BRENDAN
Co-Owner:
Mailing Address:
319 LAKE STREET
ARLINGTON, MA 02476

Prop ID: 20.A-4-203
Prop Location: 34 HAMILTON RD UNIT 203 Arlington, MA
Owner: KANDILIAN FAGHARCH
Co-Owner:
Mailing Address:
27 ESTABROOK RD
LEXINGTON, MA 02421

Prop ID: 20.A-4-204
Prop Location: 34 HAMILTON RD UNIT 204 Arlington, MA
Owner: MUJAGIC NADIJA
Co-Owner:
Mailing Address:
935 BROADWAY UNIT 1
SOMERVILLE, MA 02144

Prop ID: 20.A-4-205
Prop Location: 34 HAMILTON RD UNIT 205 Arlington, MA
Owner: COLEMAN DIANA T
Co-Owner:
Mailing Address:
1 RICHDALE AVE UNIT 12
CAMBRIDGE, MA 02140

Prop ID: 20.A-4-206
Prop Location: 34 HAMILTON RD UNIT 206 Arlington, MA
Owner: YANG XIAOQING
Co-Owner: WU YECHENG
Mailing Address:
5 APPLETREE LN
LEXINGTON, MA 02420

Prop ID: 20.A-4-207
Prop Location: 34 HAMILTON RD UNIT 207 Arlington, MA
Owner: COLEMAN DIANA T
Co-Owner:
Mailing Address:
1 RICHDALE AVE UNIT 12
CAMBRIDGE, MA 02140

Prop ID: 20.A-4-208
Prop Location: 34 HAMILTON RD UNIT 208 Arlington, MA
Owner: WANG SEN &
Co-Owner: XU HONGQIANG
Mailing Address:
34 HAMILTON RD #208
ARLINGTON, MA 02474

Prop ID: 20.A-4-209
Prop Location: 34 HAMILTON RD UNIT 209 Arlington, MA
Owner: REARDON WILLIAM F JR/TRUSTEE
Co-Owner: 34-209 REALTY TRUST
Mailing Address:
34 HAMILTON RD UNIT 209
ARLINGTON, MA 02474

Prop ID: 20.A-4-210
Prop Location: 34 HAMILTON RD UNIT 210 Arlington, MA
Owner: SUBRAMANIAN BALACHUNDHAR
Co-Owner: SACHITHANANDHAM KALPANA
Mailing Address:
34 HAMILTON RD # 210
ARLINGTON, MA 02474

Prop ID: 20.A-4-301
Prop Location: 34 HAMILTON RD UNIT 301 Arlington, MA
Owner: JOLKOVSKI ROBERT M
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #301
ARLINGTON, MA 02474

Prop ID: 20.A-4-302
Prop Location: 34 HAMILTON RD UNIT 302 Arlington, MA
Owner: YANUSHPOLSKY MIRAM FEIGA &
Co-Owner: JOSEPH & SHAUMYAN GALINA/TR
Mailing Address:
34 HAMILTON ROAD #302
ARLINGTON, MA 02474

Prop ID: 20.A-4-303
Prop Location: 34 HAMILTON RD UNIT 303 Arlington, MA
Owner: NAGAYAMA KEIKO
Co-Owner:
Mailing Address:
34 HAMILTON RD #303
ARLINGTON, MA 02474

Prop ID: 20.A-4-304
Prop Location: 34 HAMILTON RD UNIT 304 Arlington, MA
Owner: POURALI SHAHRAM
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #304
ARLINGTON, MA 02474

Prop ID: 20.A-4-305
Prop Location: 34 HAMILTON RD UNIT 305 Arlington, MA
Owner: MITCHELL A. KATALIN
Co-Owner:
Mailing Address:
169 CENTRAL ST
FRAMINGHAM, MA 01701

Prop ID: 20.A-4-306
Prop Location: 34 HAMILTON RD UNIT 306 Arlington, MA
Owner: BRETON JOSEPH F & JOAN M
Co-Owner:
Mailing Address:
24 MIDLAND DRIVE
WALTHAM, MA 02451

Prop ID: 20.A-4-307
Prop Location: 34 HAMILTON RD UNIT 307 Arlington, MA
Owner: MOLINA LIZA
Co-Owner: PHILLIPS THOMAS
Mailing Address:
34 HAMILTON RD # 307
ARLINGTON, MA 02474

Prop ID: 20.A-4-308
Prop Location: 34 HAMILTON RD UNIT 308 Arlington, MA
Owner: BYRON PAMELA D
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #308
ARLINGTON, MA 02474

Prop ID: 20.A-4-309
Prop Location: 34 HAMILTON RD UNIT 309 Arlington, MA
Owner: ALEXIOU ALICE SPARBERG
Co-Owner: ALEXIOU NICHOLAS D
Mailing Address:
140 WEST END AVE APT 20C
NEW YORK, NY 10023

Prop ID: 20.A-4-310
Prop Location: 34 HAMILTON RD UNIT 310 Arlington, MA
Owner: THE 2005 C & J LLC
Co-Owner:
Mailing Address:
1 CHURCHILL PLACE
ARLINGTON, MA 02476

Prop ID: 20.A-4-401
Prop Location: 34 HAMILTON RD UNIT 401 Arlington, MA
Owner: BLUMENTHAL ELIZABETH A
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #401
ARLINGTON, MA 02474

Prop ID: 20.A-4-402
Prop Location: 34 HAMILTON RD UNIT 402 Arlington, MA
Owner: LOPRESTE FRANK A JR
Co-Owner:
Mailing Address:
32 MCGINNESS WAY
BILLERICA, MA 01821

Prop ID: 20.A-4-403
Prop Location: 34 HAMILTON RD UNIT 403 Arlington, MA
Owner: FENNER MARGARET
Co-Owner:
Mailing Address:
34 HAMILTON RD # 201
ARLINGTON, MA 02474

Prop ID: 20.A-4-404
Prop Location: 34 HAMILTON RD UNIT 404 Arlington, MA
Owner: CORNELL JOANNE
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #404
ARLINGTON, MA 02474

Prop ID: 20.A-4-405
Prop Location: 34 HAMILTON RD UNIT 405 Arlington, MA
Owner: MIGHILL CHARLES T--ETAL
Co-Owner: GILSON CHARLOTTE
Mailing Address:
34 HAMILTON ROAD #405
ARLINGTON, MA 02474

Prop ID: 20.A-4-406
Prop Location: 34 HAMILTON RD UNIT 406 Arlington, MA
Owner: SWITZER SHARON C
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #406
ARLINGTON, MA 02474

Prop ID: 20.A-4-407
Prop Location: 34 HAMILTON RD UNIT 407 Arlington, MA
Owner: LOW UTA MARION
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #407
ARLINGTON, MA 02474

Prop ID: 20.A-4-408
Prop Location: 34 HAMILTON RD UNIT 408 Arlington, MA
Owner: SHAKYA MAHENDRA & SUBARNA
Co-Owner:
Mailing Address:
544 PRENTICE ST
HOLLISTON, MA 01746

Prop ID: 20.A-4-409
Prop Location: 34 HAMILTON RD UNIT 409 Arlington, MA
Owner: KLEPPNER PAUL S
Co-Owner: MUI LINDA P
Mailing Address:
213 FOLLEN ROAD
LEXINGTON, MA 02421

Prop ID: 20.A-4-410
Prop Location: 34 HAMILTON RD UNIT 410 Arlington, MA
Owner: DOLHARE VISHAKHA
Co-Owner:
Mailing Address:
30 CAMBRIDGEPARK DR
UNIT 3107
CAMBRIDGE, MA 02140

Prop ID: 20.A-4-501
Prop Location: 34 HAMILTON RD UNIT 501 Arlington, MA
Owner: ZHAO QIN
Co-Owner: YU BEI
Mailing Address:
17 CLELLAND RD
LEXINGTON, MA 02421

Prop ID: 20.A-4-502
Prop Location: 34 HAMILTON RD UNIT 502 Arlington, MA
Owner: HARE BRIAN J
Co-Owner: NARDONE JULIE M
Mailing Address:
34 HAMILTON RD #502
ARLINGTON, MA 02474

Prop ID: 20.A-4-503
Prop Location: 34 HAMILTON RD UNIT 503 Arlington, MA
Owner: SHUTE PRISCILLA E
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #503
ARLINGTON, MA 02474

Prop ID: 20.A-4-504
Prop Location: 34 HAMILTON RD UNIT 504 Arlington, MA
Owner: HARRIS MATTHEW J
Co-Owner:
Mailing Address:
34 HAMILTON RD UNIT 504
ARLINGTON, MA 02474

Prop ID: 20.A-4-505
Prop Location: 34 HAMILTON RD UNIT 505 Arlington, MA
Owner: FABIANO JOHN G/ TRUSTEE
Co-Owner: JEROME P FACHER REVOCABLE TRUS
Mailing Address:
31 HOMEWOOD RD
WABAN, MA 02468

Prop ID: 20.A-4-506
Prop Location: 34 HAMILTON RD UNIT 506 Arlington, MA
Owner: EWINS GEORGE D JR ETAL /TRS
Co-Owner: ELIZABETH I EWINS SUPPLEMENTAL
Mailing Address:
2979 GREENBUSH RD
CHARLOTTE, VT 05445

Prop ID: 20.A-4-507
Prop Location: 34 HAMILTON RD UNIT 507 Arlington, MA
Owner: ANDERSON ERIC HALL/ TRUSTEE
Co-Owner: ERIC HALL ANDERSON TRUST- 2019
Mailing Address:
34 HAMILTON ROAD #507
ARLINGTON, MA 02474

Prop ID: 20.A-4-508
Prop Location: 34 HAMILTON RD UNIT 508 Arlington, MA
Owner: RAPARTHI LALITHA
Co-Owner: VIRUPAKSHA RAPARTHI
Mailing Address:
34 HAMILTON RD UNIT 508
ARLINGTON, MA 02474

Prop ID: 20.A-4-509
Prop Location: 34 HAMILTON RD UNIT 509 Arlington, MA
Owner: FESKO COLLEENE TRUSTEE
Co-Owner: 34 HAMILTON ROAD TRUST
Mailing Address:
34 HAMILTON ROAD #509
ARLINGTON, MA 02474

Prop ID: 20.A-4-510
Prop Location: 34 HAMILTON RD UNIT 510 Arlington, MA
Owner: JUROW KATHLEEN A
Co-Owner:
Mailing Address:
12 CARVER STREET
SOMERVILLE, MA 02143

Prop ID: 21-2-1
Prop Location: 16 SPY POND PKWY Arlington, MA
Owner: SRIDHAR SRAVISH
Co-Owner: SRAVISH AKHILA
Mailing Address:
16 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 21-2-2.A
Prop Location: 18 SPY POND PKWY Arlington, MA
Owner: ONEILL EUGENE F/ LIFE ESTATE
Co-Owner:
Mailing Address:
18 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 21-2-3
Prop Location: 22 SPY POND PKWY Arlington, MA
Owner: ROSS FRANCES M
Co-Owner: BATTUELLO BRIAN V
Mailing Address:
22 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 21-2-4
Prop Location: 26 SPY POND PKWY Arlington, MA
Owner: CHHABRA SAMIT & ANN M
Co-Owner:
Mailing Address:
26 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 21-2-5
Prop Location: 30 SPY POND PKWY Arlington, MA
Owner: MC CANN JOHN J & MARY A
Co-Owner:
Mailing Address:
30 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 7-5-1
Prop Location: 45-45A LAKEHILL AVE Arlington, MA
Owner: LIU ZIJIE
Co-Owner: LUO XIANGLING
Mailing Address:
45 LAKEHILL AVE
ARLINGTON, MA 02474

Prop ID: 7-6-1
Prop Location: 46-48 LAKEHILL AVE Arlington, MA
Owner: PEDRELLI NINO
Co-Owner: BRASHEARS BRUNA
Mailing Address:
3755 GLENHURST AVE SOUTH
ST LOUIS PARK, MN 55416

Prop ID: 7-6-2
Prop Location: 42-44 LAKEHILL AVE Arlington, MA
Owner: DOANE JOAN S
Co-Owner:
Mailing Address:
42 LAKEHILL AVE
ARLINGTON, MA 02474

Prop ID: 7-6-25
Prop Location: 39 ALFRED RD Arlington, MA
Owner: GERA LIVIO J & GLORIA L
Co-Owner: TRUSTEES/LIVIO GERA TRUST
Mailing Address:
39 ALFRED RD
ARLINGTON, MA 02474

Prop ID: 7-6-26
Prop Location: 2-4 PRINCETON RD Arlington, MA
Owner: KOPANS DAVID B/LAUREN SUE
Co-Owner:
Mailing Address:
2 PRINCETON ROAD
ARLINGTON, MA 02474

Prop ID: 7-7-1
Prop Location: 0-LOT SPY POND PKWY Arlington, MA
Owner: PEDRELLI BRUNO & THELIA
Co-Owner:
Mailing Address:
3755 GLENHURST AVE SOUTH
ST LOUIS PARK, MN 55416

Prop ID: 7-7-2
Prop Location: 0-LOT SPY POND PKWY Arlington, MA
Owner: PEDRELLI BRUNO & THELIA
Co-Owner:
Mailing Address:
3755 GLENHURST AVE SOUTH
ST LOUIS PARK, MN 55416

Prop ID: 7-7-3
Prop Location: 0-LOT SPY POND PKWY Arlington, MA
Owner: KOPANS DAVID P/LAUREN SUE
Co-Owner:
Mailing Address:
2 PRINCETON ROAD
ARLINGTON, MA 02474

Prop ID: 9-3-3
Prop Location: 0-LOT POND LN Arlington, MA
Owner: TOWN OF ARLINGTON PARK
Co-Owner:
Mailing Address:
730 MASS AVE
ARLINGTON, MA 02476

Prop ID: 9-4-1
Prop Location: 0-LOT POND LN Arlington, MA
Owner: TOWN OF ARLINGTON PARK
Co-Owner:
Mailing Address:
730 MASS AVE
ARLINGTON, MA 02476

Notification to Abutters Under the

Massachusetts Wetlands Protection Act

And Arlington Wetlands Protection Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Arlington Conservation Commission will hold a public hearing **via Zoom or** in the second floor conference room of the Town Hall Annex, 730 Massachusetts Avenue, Arlington, on Thursday, June 3, 2021, at or after 7 pm in accordance with the provisions of the Mass. Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended) and the Town of Arlington By-Laws Article 8, By-Law for Wetland Protection, for a Notice of Intent from the Town of Arlington Conservation Commission for an Aquatic Management Program to control nuisance and non-native plant and algae growth at Spy Pond, within 100 feet of a wetland.

A copy of the application and accompanying plans are available for inspection Mon. – Fri. 8am-Noon at the Conservation Commission office, first floor of the Town Hall Annex, 730 Massachusetts Avenue and by contacting the applicant's representative, SOLitude Lake Management at (508) 865-1000 or info@solitudelake.com

For more information, call the Arlington Conservation Commission at (781) 316-3012, or SOLitude Lake Management at (508) 865-1000, or DEP Northeast Regional Office, (978) 694-3200.

NOTE: Notice of the Public Hearing will be published at least five (5) days in advance in *The Arlington Advocate* and be posted not less than 48 hours in advance in the Arlington Town Hall.

APPENDIX 5

AFFIDAVIT OF SERVICE

(Return to Conservation Commission)

I, Amanda Mahaney , being duly sworn, do hereby state as follows: on May 20, 2021 , I mailed a "Notification to Abutters" in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, l994, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

The form of the notification, and a list of the abutters to whom it was provided and their addresses, are attached to this Affidavit of Service.

Signed under the pains and penalties of perjury, this _20_ day of May ,

Amanda Mahaney
Name

APPENDIX 6

LEGAL NOTICE CHARGE AUTHORIZATION

DATE:

TO: legals@wickedlocal.com

I hereby authorize Community Newspapers to bill me directly for the legal notice to be published in the Arlington Advocate newspaper on June 3, 2021 for a public hearing with the Arlington Conservation Commission to review a project at the following location: Spy Pond

Thank you.

Signed:

Send bill to: Arlington Conservation Commission
730 Mass Ave
Arlington, MA 02476

_____

_____

Phone:

To: The Environmental Monitor

From: SOLitude Lake Management

Date: May 5, 2021

Re: Notification of filing an NOI for Spy Pond

Anticipated date of submission: May 20, 2021

The proposed project is seeking approval to initiate an Aquatic Management Program at Spy Pond in Arlington, MA. USEPA/State registered herbicides and/or algaecides will be applied to manage non-native and nuisance aquatic vegetation and algae to protect the interests of the Wetlands Protection Act by impeding eutrophication and improving habitat value.

Reviewing Conservation Commission(s):

Arlington Conservation Commission
Town Hall
730 Massachusetts Avenue
Arlington, MA 02476

Copies of the NOI may be examined or acquired from the Conservation Commission, or by contacting the applicant's representative, SOLitude Lake Management, info@solitudelake.com, or 508-865-1000, Monday and Friday between 9AM and 4PM.

See Conservation Commission website for the meeting schedule for exact dates and agendas.

ATTACHMENT B

Project Description

1.0 INTRODUCTION

The "Applicant", the Town of Arlington Conservation Commission, is seeking approval to continue an Aquatic Management Program at Spy Pond. The objective of the management program is to control growth of submersed, non-native aquatic plant species, most notably Curly-leaf Pondweed (*Potamogeton crispus*), spiny naiad (*Najas minor*), and with potential for significant return- Eurasian Watermilfoil (*Myriophyllum spicatum*), to maintain open water habitat, improve water quality, promote growth of less pervasive native plant species and provide safe recreational access to the pond. Based on the type, distribution and density of nuisance species in Spy Pond, it has been concluded the restoration goals of the Applicant can best be achieved through the prudent use of monitoring, hand-pulling, diver-assisted suction harvesting (DASH), and US EPA/MDAR registered herbicides/algaecides.

The proposed project has been filed as an Ecological Restoration Limited Project under 310 CMR 10.53(4) and will protect the interest of the Wetland Protection Act by controlling invasive species, improving fish habitat, improving water quality and slowing lake eutrophication.[1]



2.0 PROBLEM STATEMENT

Spy Pond is a 102-acre waterbody located in Arlington, MA (Figure 1). The lake is a glaciated "kettle hole" waterbody separated by an uninhabited island; the average depth is 14 feet with the deepest point of 38 feet in the northern basin. The pond has a large littoral area that supports extensive growth of non-native and native submersed vegetation. When unmanaged, dense, topped-out aquatic plant growth is out-competing and displacing beneficial native species, degrading water quality and fish/wildlife habitat, and reducing recreational access to the lake. Elevated phosphorus levels in Spy

[1] Department of Environmental Protection. Guidance for Aquatic Plant Management in Lake and Ponds as it Relates to the Wetlands Protection Act: April 2004, 1p.

Pond have been known to cause nuisance algal blooms, most concerning of which is cyanobacteria (blue-green algae) and may again require management with alum or necessitate management of blooms with algaecides. Based on the goals of the Applicant, a management program using monitoring, hand-pulling, DASH, and chemical treatment with US EPA / MDAR approved herbicides and algaecides to control the nuisance plant and algae species to restore and maintain open-water conditions and maintain desirable water quality.

Since 1999, management and monitoring of invasive plants has been performed at Spy Pond. Diquat, fluridone, and glyphosate have been the primary herbicides used at the pond and were applied, to varying degrees, between 1999 and 2020. The pond was also treated in 2004 with buffered alum to manage phosphorus levels which resulted in improved water clarity and reduced algal growth.

3.0 SITE DESCRIPTION

Spy Pond[2]	
Surface Area (acres)	102
Est. Average Depth (feet)	14
Maximum Reported Depth (feet)	38
Estimated Volume	1428 ac-ft. (465 million gal.)
Dominant Plant Species	Eurasian watermilfoil Curly-leaf pondweed Thin-leaf pondweed Common reed Stonewort (Macro-alga) Spiny Naiad

Due to its nature as a "kettle hole" pond, there is no regularly flowing inlet. A number of storm drains discharge directly to the pond. The outlet is located in the southern end, leading to Little Pond and the Alewife River. The shoreline of Spy Pond supports moderate to extensive residential development and the lake is widely used for fishing, boating, and passive wildlife viewing.

4.0 EXISTING CONDITIONS

A survey of the lake and its current condition was performed in May 2020 (Figure 3). At the time of this survey, the pond supported sparse vegetation throughout the littoral zone, the result of a fluridone treatment in 2020 to reduce dense growth of various aquatic invasive plant species, but specifically Eurasian watermilfoil, curly-leaf pondweed and spiny naiad (Figure 4). Numerous other submersed vegetation species were also present scattered throughout the pond, including thin-leaf pondweed (*Potamogeton pusillus*), sago pondweed (*Stuckenia pectinata*), and coontail (*Ceratophyllum demersum*). The pond shoreline also exhibits growth of non-native common reed (*Phragmites australis*) which has been managed in the past.

[2] Estimates based on observed and reported conditions

5.0 IN-LAKE MANAGEMENT RECOMMENDATIONS

5.1 Program Overview:

Multiple-year approval is requested for the continuation of the successful Aquatic Management Program at Spy Pond. The goal of the management program is to control growth of invasive, non-native and other nuisance plant species to improve and maintain open water habitat, promote growth of less pervasive plant species and provide safe recreational access to the lake with the use of US EPA / MDAR registered aquatic herbicides or other Best Management Practices (BMPs). Based on the chemistry of the proposed products, along with the chemical dose, timing and method of application, these herbicides can be reasonably selective for the targeted plant species with a negligible risk to non-target organisms when used in accordance with their USEPA approved labels. These products, coupled with non-chemical options (when applicable and feasible), will provide Spy Pond with an integrated management program to successfully continue the progress that has been made through past years of management. The management program has been developed to be compatible with the goals of the property owners keeping in mind the regulatory responsibilities of the Arlington Conservation Commission and the MA DEP.

Specifically, we are requesting approval to use of Reward/Tribune (diquat), ProcellaCOR EC (florpyrauxifen-benzyl), Sonar (fluridone), AquaPro (glyphosate), and Clearcast (imazamox) herbicides to control growth of nuisance plants, as well as copper-based algaecides (i.e. CUSO4, Captain, SeClear) and buffered alum to control phosphorus and algal blooms. Physical management techniques such as hand-harvesting, and diver-assisted suction harvesting (DASH) are requested as a non-chemical management technique to manage small areas of invasive species (when applicable).

The proposed products specifically affect the target plant (and algae) species to be controlled and have a negligible effect on the non-target species and wildlife when applied in accordance with the label directions. All chemicals are applied at or below suggested doses according to the product label. In addition, doses are based on plant types and densities so that a minimum amount of the chemicals are introduced into the lake.

No significant alteration to wetland resources areas will occur as a result of the proposed lake management program; instead the resource areas will be enhanced by controlling a non-native, invasive aquatic plant species and improving water quality.

5.2 Proposed Products

Florpyrauxifen-benzyl (ProcellaCOR EC - EPA # 67690-80 or equivalent)

ProcellaCOR (florpyrauxifen-benzyl) is a recently registered herbicide in Massachusetts and is an effective, selective, systemic herbicide on milfoil, hydrilla, and emergent species.

The herbicide will be applied to the area at or below the permissible label dose. Due to the limited contact-exposure time required for control of the target species, concentrations only need to be maintained for hours to several days to achieve management. Temporary water-use restrictions for ProcellaCOR include no non-agricultural irrigation to vegetation other than turf according to Table on product label (6 hours to 35 days) – at rates used in the Northeast, this restriction is typically 2-7 days and can be determined based on post-treatment herbicide residue sampling. There are no restrictions on swimming, boating, or fishing, but prudent herbicide/algaecide management suggests that we close

the waterbody on the day of treatment. The shoreline of the waterbody will be posted with signs warning of these temporary water-use restrictions, prior to treatment.

The herbicide is quickly absorbed by the target vegetation and translocated within the plant. The mode of action of the herbicide causes impacted vegetation to lose structural integrity at growth nodes. Residual levels of the herbicide in treated water decline rapidly and reduction is due to the uptake by the targeted vegetation and degradation.

The use rates for ProcellaCOR is 200-400 times lower than older chemistry formulations, achieving a Reduced Risk Classification by the USEPA. Excellent selectivity and minimal impact to non-target species has been demonstrated with ProcellaCOR treatments that have been performed in the Northeast to date (approximately 100). Of the species reported in Spy Pond, the only plants that may show some impact following treatment is coontail (*Ceratophyllum demersum*). Coontail is typically not impacted by ProcellaCOR treatments except when using rates of 4+ PDUs/ac-ft.

Impacts Specific to the Wetlands Protection Act using Florpyrauxifen-benzyl

- Protection of public and private water supply – Neutral (no significant interaction)
- Protection of groundwater supply – Generally neutral (no interaction)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the lake
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

Diquat (Reward - EPA # 100-1091 or equivalent)

The USEPA/MA registered herbicide diquat dibromide will be applied to the area at or below the permissible label dose. Reward is a widely used herbicide, applied to greater than 500 lakes and ponds annually, throughout the northeast, to control nuisance submersed aquatic plants. Diquat would be applied to control nuisance submersed plant growth at the application rate of 1.0-2.0 gal/acre, if necessary. Temporary water use restrictions for diquat are: 1) No drinking or cooking for 3 days. 2) No irrigation of turf for 3 days and of food crops for 5 days, and 3) No livestock watering for 1 day. There are no restrictions on swimming, boating, or fishing, but prudent herbicide/algaecide management suggests that we close the lake on the day of treatment. The shoreline of the lake will be posted with signs warning of these temporary water use restrictions, prior to treatment.

Diquat is translocated to some extent within the plant. Its rapid action tends to disrupt the leaf cuticle of plants and acts by interfering with photosynthesis. Upon contact with the soil, it is absorbed immediately and thereby biologically inactivated. Residual levels of diquat in treated water decline rapidly and their reduction is due to the uptake by the targeted vegetation and adsorption to suspended soil particles in the water or on the bottom mud. Photochemical degradation accounts for some loss under conditions of high sunlight and clear waters.

Impacts Specific to the Wetlands Protection Act using Diquat[3]

- Protection of public and private water supply – Benefit (water quality improvement)
- Protection of groundwater supply – Neutral no interaction as diquat is absorbed to soil particles
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the lake
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direst toxicity is possible under unusual circumstances
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

Glyphosate (AquaPro – EPA #62719-324-67690 or equivalent)

Glyphosate is a systemic herbicide that offers excellent long-term control of invasive emergent vegetation species such as Phragmites in Spy Pond. This herbicide is foliar active, which means its chemical ingredient is active only on contact with the plant. Therefore, this chemical must be applied to the dry leaves, upon which it is translocated down into the rhizomes of the plant. Glyphosate is absorbed by plant foliage and moves throughout plant tissues. Once inside the plant, glyphosate interrupts the plant's ability to produce a protein it needs to live; thereby, resulting in effective long-term control. For invasive emergent vegetation species, Common Reed, this chemical is applied in the late summer/fall when nutrients are transferred into the root system and mid to late July/ prior to seed formation, respectively.

Glyphosate will be applied at or below the recommended Federal/State concentration of 3 quarts/acre. This product will be placed into a mixing tank with a surfactant (Cide-kick; d'limonene and related isomers plus selected emulsifiers); this surfactant ensures adhesion to the foliar portions of the plant. This mixture will be diluted with fresh pond water. Application varies based on target species. All applications will be timed with calm weather when wind gusts are less than five miles per hour to ensure no herbicide drift effects surrounding beneficial flora. The treatment will also be timed to ensure that a rain event will not occur within eight hours of the treatment. This herbicide binds tightly to the soil and has no activity in surrounding water; therefore, there is low potential for leaching and contamination of groundwater. Furthermore, this herbicide is quickly broken down by microorganisms in the soil.

There are no water use restrictions associated with the use of glyphosate other than no-treatment within ¼ of a mile (1320-ft) of potable water intakes. Although there are no restrictions on swimming, boating or fishing, prudent use suggests that we close the pond on the day of treatment. The shoreline of the lake will be posted with signs warning of these temporary water uses restrictions, prior to treatment.

[3] Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*: 2004. 124 p.

Impacts Specific to the Wetlands Protection Act using Glyphosate[4]

- Protection of public and private water supply – Detriment (prohibition within one quarter mile of surface water supplies due to toxicity), but generally neutral where allowed
- Protection of groundwater supply – Neutral (no interaction)
- Flood control & Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the pond
- Protection of land containing shellfish – Neutral (no significant interaction)
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

Fluridone (Sonar – EPA # 67690-4 or equivalent)

Fluridone is a systemic herbicide that offers long-term control on invasive and nuisance aquatic vegetation in Spy Pond. This herbicide hinders the ability of susceptible plants to produce carotene which protects chlorophyll from photodegradation, which results in mortality and subsequent long-term control of the targeted species (i.e., directly impacts the standing population and prevents future spread). This process is known as chlorosis and may be observed visually as the plant begins to lose its green color and take on a white or pink shade. Fluridone requires an extended contact time (45-60) so it has historically been used for low-dose, whole-pond treatments where dilution and contact time are more predictable, however, new granular formulations do allow for more effective spot-treatment.

Fluridone when applied at recommended dosages is generally viewed as having one of the most environmentally friendly toxicology profiles of all products currently on the market. In fact, the US EPA has approved a limit of 150 ppb to be allowed in water used for drinking, which is also the maximum application rate for waterbodies 10 acres and larger, such Spy Pond. Ideally, fluridone treatments are initiated early in the growing season when target vegetation is low or starting emergence. Presently, liquid and granular formations of this herbicide are available and included under this management plan. For aqueous applications, this chemical will be placed into an onboard mixing tank, mixed with pond water and evenly distributed throughout the surface of the treatment area via boat. This herbicide will be injected under the water surface through trailing hoses, minimizing the chance of chemical drift and assuring accurate placement of over the target species. For granular applications, the herbicide will be placed into a Herd spreader mounted to the bow of the treatment vessel and evenly distributed over the surface of the treatment area. If used at Spy Pond, the target rate would likely be <20 ppb which is significantly below the maximum labeled rate.

Fluridone water use restrictions include no application within one-quarter mile of a potable water intake and no use of treated water for irrigation purposes within 30 days of application. Although there are no restrictions on swimming, boating or fishing, prudent use suggests that we close the pond on the day of treatment. The shoreline of the pond will be posted with signs warning of these temporary water uses restrictions, prior to treatment.

[4] Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*: 2004. 128 p.

Impacts Specific to the Wetlands Protection Act using Fluridone[5]

- Protection of public and private water supply – Generally neutral, but may have detriment at high doses (prohibition within 0.25-mi. of drinking water intakes at doses >20 ppb)
- Protection of groundwater supply – Generally neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction)
- Protection of land containing shellfish - Generally neutral (no significant interaction)
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

Imazamox (Clearcast – EPA # 241-437-67690)

The USEPA/MA registered herbicide Imazamox will be applied to the area at or below the permissible label dose. It has been utilized to manage submersed, floating-leaf, and emergent vegetation. Imazamox would be applied foliarly to control invasive Phragmites or water chestnut growth at the application rate of 1.5 lbs ae/acre, if necessary. Temporary water use restrictions for Imazamox are: 1) No drinking or cooking until residue testing results are below 50 ppb, 2) No irrigation until concentrations are below 50 ppb. There are no restrictions on swimming, boating, fishing, watering of livestock, or domestic use, but prudent herbicide/algaecide management suggest that we close the pond on the day of treatment. The shoreline of the pond will be posted with signs warning of these temporary water use restrictions prior to treatment.

Imazamox is a systemic herbicide. When applied as a foliar spray, it is quickly absorbed by foliage and/or plant roots and rapidly translocated to the growing points stopping growth. The concentrated herbicide is diluted with pond water onboard the treatment vessel and applied to the water chestnut leaves floating on the water's surface via a low-volume pumping system. A spray adjuvant will be mixed with the diluted herbicide to improve efficacy.

Impacts Specific to the Wetlands Protection Act using Imazamox

- Protection of public and private water supply – Generally neutral, but may have detriment at high doses (setback of treatment required, with distance based on dose and area treated)
- Protection of groundwater supply – Neutral (no interaction as imazamox is absorbed to soil particles)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the pond
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direst toxicity is possible under unusual circumstances
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

[5] Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*: 2004. 133 p.

Copper-Based Algaecides

Approval for the use of a copper-based algaecide (i.e. CuSO4, SeClear, Captain) is requested in the event that nuisance algae conditions develop, warranting treatment. Copper based algaecides are widely used and are applied to lakes and ponds throughout North America to control nuisance filamentous and microscopic algae. There are no water use restrictions associated with copper-based algaecides and Aquatic Control treats several direct, potable (drinking) water reservoirs and a number of recreation waterbodies in the Commonwealth with these algaecides, on a yearly basis. The concentrated liquid algaecides that are first diluted with lake water and then sprayed throughout the lake area. The application rate is generally 0.2 ppm or less for algae control. If applied, treatment will not exceed 50% of the lake volume.

Impacts Specific to the Wetlands Protection Act using Copper[6]

- Protection of public and private water supply – Benefit (used to control algae)
- Protection of groundwater supply – Neutral (no significant interaction)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution - Generally neutral (no significant interaction), but could be a detriment if algae/plant die-off causes low oxygen at the bottom of the lake or causes release of taste and odor compounds or toxins
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances.
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, direct toxicity)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, direct toxicity)

Buffered Alum

The goal of alum treatment is to strip the water column of phosphorus and inactivate the phosphorus in the bottom sediments. This is accomplished by applying an aluminum salt to the pond (aluminum sulfate) which reacts with the water to form an insoluble aluminum hydroxide solid (floc). This floc falls through the water column chemically and physically removing phosphorus and then settles to the bottom forming a “blanket”, which effectively inactivates the phosphorus in the sediment.

Once applied, the reaction of alum and water (especially soft water lakes) causes the water to become acidic (low pH). To counter this effect, a buffer solution of sodium aluminate is applied simultaneously along with the alum. At a volumetric ratio of typically 2 parts alum to 1 part sodium aluminate, the pH will remain near background throughout the treatment process. The use of sodium aluminate is preferred over other buffer solutions because it also contributes to the aluminum dose.

Proper herbicide application allows for targeted plant control without posing an unreasonable adverse risk to non-target species and wildlife. Written approval from the Commission will be sought should alternate products be considered in future years. All products proposed for use will be registered for aquatic use in Massachusetts.

[6] Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*: 2004. 122 p.

Hand-Harvesting/Diver-Assisted Suction Harvesting (DASH)

With this technique, a snorkeler or diver selectively pulls out unwanted plants by hand and either puts them in a collection bag or, in the case of DASH, feeds the plant material into a suction hose which then discharges onto a screen on the topside boat. The water is then allowed to run back into the lake and the screened material is put into bins for later disposal to an upland area. This is a highly selective technique, and a labor intensive one. Normally well suited to vigilant efforts to keep out invasive species that have not yet become established or after large-scale systemic herbicide treatment efforts, it can also be employed to clear small areas of plants in high-use locations. This technique is not well suited for large-scale efforts, especially when the target species or assemblage occurs in dense or expansive beds.

Suction harvesting is also used to augment hand harvesting, allowing for a higher rate of pulling in a targeted area, as the diver/snorkeler does not have to carry pulled plants to a disposal point. It is recommended for localized infestations. The effectiveness is limited to small areas, typically less than one-half acre. All harvesting will be conducted by certified SCUBA divers with experience identifying and managing the target species. Harvested material will be disposed of at an offsite facility.

Impacts Specific to the Wetlands Protection Act using Hand Harvesting

- Protection of public and private water supply – Neutral (no significant interaction)
- Protection of groundwater supply – Neutral (no significant interaction)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution - Generally neutral (no significant interaction), but could be a detriment if sediment disruption results in high turbidity
- Protection of land containing shellfish - Generally neutral (no significant interaction)
- Protection of fisheries – Generally neutral (no significant interaction)
- Protection of wildlife habitat – Generally neutral (no significant interaction), but may have benefit and detriment to different species

Chemical Descriptions

Detailed information on all the herbicides proposed in this NOI can be found at the **Massachusetts Department of Conservation and Recreation, Lakes and Ponds Program website**. There are links under the Publications tab to the "Generic Environmental Impact Report for Eutrophication and Lake Management in Massachusetts" and the "Practical Guide to Lake Management in Massachusetts."

<http://www.mass.gov/eea/agencies/dcr/water-res-protection/lakes-and-ponds/lakes-ponds-more-pubs-generic.html >

Additional information on these herbicides can be found at the **Massachusetts Department of Agricultural Resources website**: <http://www.mass.gov/agr/pesticides/water/Aquatic/Herbicides.htm>
See Attachment D for additional information.

5.3 Monitoring:
Annual inspections, including detailed point-intercept surveys during the pre-and post-management period will be conducted in order to finalize the treatment areas and assess the growth phase of the target plant species. The post-management inspection and point-intercept survey will be conducted in order to assess the efficacy of the management efforts and any impacts on non-target species so future applications can be properly adjusted to minimize non-target impacts.

6.0 ALTERNATIVES ANALYSIS

Alternatives to the proposed Aquatic Plant Management Plan were considered. SOLitude Lake Management evaluated all available strategies for control of the nuisance aquatic species in Spy Pond. Findings and recommendations were based on direct experience and discussions found in the *Eutrophication and Aquatic Plant Management in Massachusetts Final Generic Environmental Impact Review* (FGEIR, EOEA 2004).

Bottom Weed Barriers: Not Recommended at this Time
Physical controls, such as the use of bottom weed barriers (i.e. Aquatic Weed Net or Palco) can be effective for small dense patches of nuisance vegetation, but are not cost effective or feasible for large areas. Weed barriers are expensive to install and maintain at ~$1.75/ft^2 (material & installation). Semi-annual maintenance to retrieve, clean and re-deploy the barriers would be expensive and time consuming. Additionally, covering expansive areas of the lake bottom may also have detrimental impacts on invertebrates or other types of wildlife. This technique could possibly be employed in future years to control select small dense patches of regrowth between whole lake systemic treatments.

Hydro-Raking: Not Recommended at this Time

The mechanical Hydro-Rake can best be described as a “floating backhoe” with a York Rake attachment. The barge is paddle wheel driven to facilitate operation in shallow water (<2 feet) and it can effectively work to depths of about 12 feet. It works from the water, thereby avoiding damage to sensitive shoreline habitat and property. This machine “rakes” the upper sediment layer, collecting plants and their root systems. The Hydro-Rake is well suited for the removal of plants with large rhizome structures and in that case can provide multiple years of control. The target species for control at Spy Pond have comparatively small root structures, and as such, control is likely to be annual at best, with considerable temporary disturbance. The target species also reproduce through fragmentation, as well as by reproductive structures (or turions), or by seed, so mechanical removal is not typically recommended because of increased potential for fragmentation and accelerated spread.

Harvesting: Not Recommended

Harvesting invasive species like the ones present in Spy Pond is typically not recommended because of its ability to reproduce through vegetative fragmentation, leading to increased spread into previously un-infested areas or further intensifying growth rates. Additionally, harvesting would be costly and at best would only provide a season of relief from the target species. The disruption and non-target impacts would be more significant than with spot-treatments using aquatic herbicides.

Biological: Not Recommended

There are no effective biological controls available or approved by the State for the control of the invasive aquatic plant species present in Spy Pond.

Sediment Excavation/Dredging: Not Recommended at this Time

Dredging nutrient rich bottom sediment is sometimes used as a strategy to control excessive weed growth. Conventional (dry) or hydraulic dredging would require the expenditure of hundreds of thousands of dollars in design and permitting fees alone. Dredging may also have severe impacts to aquatic organisms (i.e. fish and macroinvertebrates) in the lake with no guarantees of elimination of invasive vegetation.

Do Nothing: Not Recommended

If the invasive plant growth is allowed to continue unabated, eutrophication and filling-in at the lake will continue to occur at an accelerated rate due to the annual decomposition of excessive plant material. Anoxic conditions would degrade water quality and potentially impact fish and other aquatic organisms. Stagnant conditions will also increase water temperatures promoting both algae and bacterial growth as well as providing extensive mosquito breeding habitat. The lake's recreational and aesthetic value has also been and would continue to be significantly degraded.

7.0 COMPLIANCE

Massachusetts Wetlands Protection Act:

The objective of this project is to control invasive species through use of US EPA / MDAR registered aquatic herbicides.

Controlling densities of native species will typically not adversely affect wildlife habitat and will not negatively impact other interests of the Massachusetts Wetlands Protection Act. No significant alteration to wetland resources areas will occur as a result of the proposed management program; instead the resource areas will be enhanced by controlling the nuisance plant growth. The proposed management activities are consistent with the guidelines in the following documents:

- Final Generic Environmental Impact Report: Eutrophication and Aquatic Plant Management in Massachusetts (June 2004)
- Guidance for Aquatic Plant Management in Lakes and Ponds: As it Relates to the Wetlands Protection Act (April 2004 – DEP Policy/SOP/Guideline # BRP/DWM/WW/G04-1)
- The Practical Guide to Lake Management in Massachusetts (2004)

DEP License To Apply Chemicals:

All chemical applications will be performed by Certified Applicators. The USEPA/MA registered aquatic herbicides will be applied at recommended label rates, in accordance with the "Order of Conditions" and DEP "License to Apply Chemicals" permits (BRP WM04). Prior to treatment the shoreline will be posted with signs, warning of all temporary water use restrictions prior to treatments. A site specific "License to Apply Chemicals" for the proposed treatment will be filed with Massachusetts DEP, Office of Watershed Management.

Massachusetts Environmental Policy Act:

The strategies proposed in this NOI are options approved under the Massachusetts Environmental Protection Act (MEPA) process that was approved in 2004 with the issuance of the FGEIR and the *Practical Guide to Lake and Pond Management in Massachusetts*. These approaches do not require individual MEPA review.

Massachusetts Endangered Species Act:

According to the most recent Natural Heritage maps provided by MA GIS, Spy Pond is located within areas designated as Estimated Habitats of Rare Wildlife and Priority Habitats of Rare Species (Figure 5) as determined by the Massachusetts Natural Heritage & Endangered Species Program (NHESP).

8.0 IMPACTS OF THE PROPOSED MANAGEMENT PLAN SPECIFIC TO THE WETLANDS PROTECTION ACT

Protection of public and private water supply – Spy Pond is not used directly as a drinking water supply. Aquatic herbicide treatment at the lake will not have any adverse impacts on the public or private water supply, when used in accordance with the project label and conditions of the MA DEP License to Apply Chemicals.

Protection of groundwater supply – According to available studies, there is no reason to believe that the groundwater supply will be adversely impacted by the application of the chemicals at the proposed rates to Spy Pond, when used in accordance with the project label. Contamination of groundwater by aquatic herbicides is limited by their low rate of application, rapid rate of degradation, and uptake by target plants. SLM's State licensed applicators take all necessary precautions when mixing and disposing of all chemical containers.

Flood control and storm damage prevention – No construction, dredging or alterations of the existing floodplain and storm damage prevention characteristics of the pond are proposed. However, in some instances, abundant and excessive aquatic plant growth can contribute to high water and flooding. Most commonly this occurs in the vicinity of waterbody outlets or water conveyance channels and structures. The unmanaged, annual growth and decomposition of abundant plant growth is also known to increase sediment deposition at an accelerated rate. Therefore, the application of aquatic herbicides may increase the capacity of the resource area over the long-term to provide flood protection.

Prevention of pollution – No degradation of water quality or increased pollution is expected by the application of the herbicides. The proposed herbicides are relatively slow acting in controlling the invasive vegetation. This results in a slow release of nutrients from the decaying plants, reducing the potential for increases in nutrients that can cause algae blooms. Removal of the excessive growth of aquatic vegetation will contribute to improved water circulation and a reduction in the potential for anoxic conditions. The post-treatment decrease in plant biomass will help to decrease the rate of eutrophication currently caused by the decomposing of excessive plant material.

Protection of fisheries and shellfisheries – Contiguous, dense beds of aquatic vegetation provide poor habitat for most species of fish. Dense plant cover frequently results in significant diurnal fluctuations in dissolved oxygen as well as oxygen depletion during certain times of the year. While temporary effects on some desirable submersed and floating-leafed species may occur following the application of an aquatic herbicide, non-target plants typically rebound quickly. Shoreline emergent plants will not be impacted following the use of aquatic herbicides.

Protection of wildlife and wildlife habitat – In general, excessive and abundant plant growth, especially non-native plants, provides poor wildlife habitat for fish and other wildlife. The proposed management plan is expected to help prevent further degradation of the waterbody through excessive weed growth

and improve the wildlife habitat value of the pond in the long-term. Maintaining a balance of open water and vegetated areas is intended.

ATTACHMENT C

Figures

FIGURE 1: Site Locus

SOLITUDE
LAKE MANAGEMENT
888.480.5253
solitudelakemanagement.com



Spy Pond
Arlington, MA



Spy Pond

0 1,900 3,800

1:24,000 Feet

N

Map Date: 12/2/2020
Prepared by: ALM
Office: SHREWSBURY, MA

FIGURE 2: Natural Heritage and Endangered Species Program

SOLITUDE LAKE MANAGEMENT
888.480.5253
solitudelakemanagement.com



Spy Pond
Arlington, MA



Spy Pond

0 1,900 3,800

1:24,000 Feet

N

Map Date: 12/2/2020
Prepared by: ALM
Office: SHREWSBURY, MA

FIGURE 3: Distribution of Invasive Aquatic Species

SOLITUDE LAKE MANAGEMENT
888.480.5253
solitudelakemanagement.com



Spy Pond
Arlington, MA



Spy Pond

0 490 980 N

1:6,500 Feet

Map Date: 08/07/2017
Prepared by: ALM
Office: SHREWSBURY, MA

ATTACHMENT D

Herbicide/Algaecide Information

Detailed information herbicides proposed in this NOI can be found at the **Massachusetts Department of Conservation and Recreation, Lakes and Ponds Program website**. There are links under the Publications tab to the "Generic Environmental Impact Report for Eutrophication and Lake Management in Massachusetts" and the "Practical Guide to Lake Management in Massachusetts."

<http://www.mass.gov/eea/agencies/dcr/water-res-protection/lakes-and-ponds/>

Additional information on these herbicides can be found at the **Massachusetts Department of Agricultural Resources website**

http://www.mass.gov/eea/agencies/agr/pesticides/aquatic-vegetation-management.html

Spy weeds
6/11/15
91-258

- DEP
- file copy
- orig - J. Giuss
- ACT

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
91-258
MassDEP File #

eDEP Transaction #

Arlington
City/Town

A. General Information

Please note: this form has been modified with added space to accommodate the Registry of Deeds Requirements

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.

1. From: Arlington
Conservation Commission

2. This issuance is for (check one): a. ☒ Order of Conditions b. ☐ Amended Order of Conditions

3. To: Applicant:

Teresa
a. First Name

DeBenedictis
b. Last Name

Town of Arlington Public Works Dept
c. Organization

51 Grove St
d. Mailing Address

Arlington
e. City/Town

MA
f. State

02476
g. Zip Code

4. Property Owner (if different from applicant):

Adam
a. First Name

Chapdelaine
b. Last Name

Manager, Town of Arlington
c. Organization

730 Massachusetts Ave
d. Mailing Address

Arlington
e. City/Town

MA
f. State

02476
g. Zip Code

5. Project Location:

Spy Pond
a. Street Address

Arlington
b. City/Town

c. Assessors Map/Plat Number

d. Parcel/Lot Number

Latitude and Longitude, if known: 42.407569d m s
d. Latitude

-71.155364d m s
e. Longitude

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Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP: 91-258
MassDEP File #

eDEP Transaction #

Arlington
City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Middlesex
a. County

b. Certificate Number (if registered land)

c. Book

d. Page

7. Dates: 4/22/15 (a. Date Notice of Intent Filed) 5/21/15 (b. Date Public Hearing Closed) 6/11/15 (c. Date of Issuance)

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
see attached list
a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

a. ☐ Public Water Supply
b. ☐ Land Containing Shellfish
c. ☒ Prevention of Pollution
d. ☐ Private Water Supply
e. ☒ Fisheries
f. ☒ Protection of Wildlife Habitat
g. ☐ Groundwater Supply
h. ☒ Storm Damage Prevention
i. ☒ Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

a. ☒ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

Spy weeds
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B. Findings (cont.)

Denied because:

b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**

c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

3. ☐ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) _____ a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. ☐ Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. ☐ Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. ☒ Land Under Waterbodies and Waterways	102 ac a. square feet	102 ac b. square feet	102 ac c. square feet	102 ac d. square feet
	e. c/y dredged	f. c/y dredged		
7. ☐ Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. ☐ Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. ☐ Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet

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B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. ☐ Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. ☐ Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. ☐ Coastal Beaches	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
14. ☐ Coastal Dunes	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
15. ☐ Coastal Banks	a. linear feet	b. linear feet		
16. ☐ Rocky Intertidal Shores	a. square feet	b. square feet		
17. ☐ Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. ☐ Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. ☐ Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. ☐ Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. c/y dredged	b. c/y dredged		
21. ☐ Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		

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B. Findings (cont.)

* #22. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

22. ☐ Restoration/Enhancement *:

a. square feet of BVW _____ b. square feet of salt marsh _____

23. ☐ Stream Crossing(s):

a. number of new stream crossings _____ b. number of replacement stream crossings _____

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
   a. The work is a maintenance dredging project as provided for in the Act; or
   b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
   c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.

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C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.

9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.

10. A sign shall be displayed at the site not less then two square feet or more than three square feet in size bearing the words,

    "Massachusetts Department of Environmental Protection" [or, "MassDEP"]

    "File Number 91-258 "

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.

12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.

13. The work shall conform to the plans and special conditions referenced in this order.

14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.

15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.

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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.

18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

19. The work associated with this Order (the "Project")
    (1) ☐ is subject to the Massachusetts Stormwater Standards
    (2) ☒ is NOT subject to the Massachusetts Stormwater Standards

    If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

    a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.

    b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
    i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
    ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
    iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;

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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement) for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.

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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.

h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.

i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.

j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.

k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.

l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):
See attached 5 pages, conditions 20-40.

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.

SPY WEEDS
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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☒ Yes ☐ No

2. The Arlington Conservation Commission hereby finds (check one that applies):

   a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

   _____ (1. Municipal Ordinance or Bylaw) _____ (2. Citation)

   Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

   b. ☒ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

   Arlington Bylaw for Welands Protection (1. Municipal Ordinance or Bylaw) Title V, Art 8 (2. Citation)

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

   The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

   See attached 5 pages, conditions 20-40.

SPY WEEDS
6/11/15

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

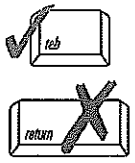
Provided by MassDEP:
91-758
MassDEP File #

eDEP Transaction #

Arlington
City/Town

E. Signatures

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

6/11/15
1. Date of Issuance

Please indicate the number of members who will sign this form.
This Order must be signed by a majority of the Conservation Commission.

SIX
2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy must be mailed, hand delivered or filed electronically at the same time with the appropriate MassDEP Regional Office.

Signatures:

☐ by hand delivery on

Date

☐ by certified mail, return receipt requested, on 6/11/15

Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

SPY WEEDS
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G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Arlington Conservation Commission, 730 Massachusetts Ave, Arlington, MA 02476
Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Arlington
Conservation Commission

Please be advised that the Order of Conditions for the Project at:

Spy Pond
Project Location

91-258
MassDEP File Number

Has been recorded at the Registry of Deeds of:

Middlesex
County

Book

Page

for:
Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

ARLINGTON CONSERVATION COMMISSION

SPY WEEDS

ORDER OF CONDITIONS SPY POND AQUATIC VEG. MANAGEMENT DEP FILE NO. 91-258

6/11/15

Referenced Documents

1. Notice of Intent application, Spy Pond Aquatic Management program, Arlington, MA, prepared for Teresa DeBenedictis, Town of Arlington, Public Works Department, 51 Grove St., Arlington, MA, 02476, prepared by Marc Bellaud, Aquatic Control Technology, LLC, 11 John Rd, Sutton, MA 01590, dated 4/22/15, containing:

a. NOI Form - WPA Form 3, App. A: Ecological Restoration Limited Project Checklists
b. NOI Wetland Fee Transmittal Form
c. Att. A – Abutter Notification - Environmental Monitor, Affidavit of Service, Abutters Notice, Abutters Lists
d. Att. B - Project Description
    1.0 Introduction
    2.0 Problem Statement
    3.0 Site Description
    4.0 Existing Conditions
    5.0 In-Lake Management Recommendations
        5.1 Program Overview
        5.2 Proposed Products
        5.3 Monitoring
    6.0 Alternatives Analysis
    7.0 Compliance
    8.0 Impacts of the Proposed Management Plan Specific to the Wetlands Protection Act
e. Att. C – Figures
    Figure 1: Site Locus
    Figure 2: FEMA FIS Map
    Figure 4: Vegetation Assemblage – June 2014
    Figure 3: Pre-Treatment Vegetation Assemblage – April 2013
    Figure 5: NHESP Habitat Locations
f. Att. D – MA DCR Information on Eurasian Watermilfoil
g. Att. E – Herbicide/Algaecide Information

Findings

(under the Wetlands Protection Act and Arlington Wetlands Bylaw)

Based on the testimony at the public hearings, and review of the application materials and the document listed below submitted during the public hearings, the Commission concludes that the proposed project will not have a significant or cumulative effect upon the interests of the Wetlands Protection Act or the resource area values of the Arlington Wetlands Bylaw. The Commission further finds that the project will improve the capacity of the resource areas at the project site to serve the interests of the Act and Bylaw, and therefore is eligible to be treated as a limited project under 310 CMR 10.53(4), and aquatic vegetation management will maintain the native plant community protected by the bylaw as significant, thus will improve the natural capacity of the area to provide

wildlife habitat, water quality and improve habitat value in the Resource Area and Buffer Zone. The proposed work meets the performance standards of Section 24 D (4) of the Arlington Wetlands Bylaw Regulations.

The Commission maintains the view that the use of herbicides, algaecides, and alum is a partial and temporary solution. The Commission requires that the Applicant continue to explore and pursue longer term, watershed-wide solutions to the invasive aquatic vegetation in Spy Pond which would obviate the need for chemical control.

In reaching its decision, the Commission relied heavily upon the "Eutrophication and Aquatic Plant Management in Massachusetts, Final General Environmental Impact Report (GEIR)" by the Executive Office of Environmental Affairs, 2004.

This Order applies to all areas and work that are in resource areas or the 100-foot Buffer Zone, or that add storm drainage to a discharge point in said resource area or Buffer Zone.

The Commission voted unanimously to approve the Notice of Intent under the Wetlands Protection Act, c.131, s.40 ("the Act") and Arlington Wetlands Bylaw subject to the following additional conditions contained herein.

Additional Special and/or Bylaw Conditions

20. Work permitted by this Order and Permit shall conform to the Notice of Intent, plans and oral presentations (as recorded in hearing minutes) submitted by the applicant and the applicant's agents or representatives, as well as any plans and other data submitted per these Conditions and approved by the Commission.

21. The applicant is permitted to use fluridone, copper, diquat, alum and glyphosate (with conditions, see below) in Spy Pond as necessary to control the growth of invasive aquatic plants and Phragmites. If any other products or methods are proposed and such changes are significant, the applicant may be required to file an Amended or a new Notice of Intent.

21. a. For application of glyphosate formulations such as AquaPro, the applicant will use a dilute solution of 1.5% glyphosate and apply only on a non-windy day (< 5 mi/h).

21. b. For application of glyphosate formulation, the applicant will assess the efficacy of hand-wiping small patches of Phragmites in order to keep the herbicide contained to the plant leaves and stem. If hand-wiping is not practical, the applicant will use a targeted back-pack sprayer to specifically target stands of Phragmites in order to minimize drift of the herbicide to other vegetation, aquatic biota in the pond, and the shoreline.

21.c. The EPA is currently reviewing the federal permit registration for glyphosate and this review is expected to be completed in 2015. The Commission may re-visit these Spy Pond permit conditions for glyphosate use if EPA findings conflict with this Order and Permit.

22. The provisions of this Order and Permit shall apply to and be binding upon the applicant and applicant's assigns, tenants, employees, contractors, or agents.

23. No work shall be started under this Order until: (a) all other required permits or approvals have been obtained and (b) the appeal period of ten (10) business days from the date of issue of this Order has expired without any appeal being filed. No work shall be started under this Permit until all other necessary permits or approvals (**including the Natural Heritage program**) have been obtained.

24. The applicant shall comply with all requirements set forth by the Natural Heritage program to protect the state-listed rare speces, Engleman's Unbrella-Sedge. If their requirements are stricter (more protective of the plant) than these conditions, they shall take precedence.

25. The applicant shall ensure that a copy of this Order of Conditions and Permit for work, with any referenced plans, is available on site at all times, and that contractors, site managers, foremen, and sub-contractors understand it provisions.

26. Prior to starting work, the applicant shall submit to the Commission the names and 24-hour phone numbers of project managers or the persons responsible for site work or mitigation.

27. No heavy equipment may be stored overnight within the 100-foot Buffer Zone. No refueling or maintenance of machinery shall be allowed within the 100-foot Buffer Zone or within any Resource Area.

28. The Commission, its employees and its agents, with proper notification of the site supervisor, shall have the right of entry onto the site to inspect for compliance with the terms of this Order of Conditions and Permit.

29. The Applicant shall notify the Conservation Commission (to cbeckwith@town.arlington.ma.us) within 72 hours prior to each application of herbicide, algaecide or alum.

30. The Applicant or its contractor/consultant shall post signs along the shoreline of the pond within 24 hours prior to each application of herbicide, algaecide or alum. Such signs will be posted in a manner so as to sufficiently alert the public of any temporary water use restriction(s). Said signs shall be maintained for the period of the water use restriction or twenty-four (24) hours following application, whichever is longer.

31. No more than three weeks prior to any whole-pond treatments, the Applicant shall notify by hand delivery or first-class mail all abutters of the application and use restrictions, if any. At the same time, the applicant shall also forward this notice to:

a) the Friends of Spy Pond Park (Karen Grossman, k1gwoman@comcast.net)
b) the Arlington listserve (www.arlingtonlist.org),
c) the Arlington Boys and Girls Club (abgclub@abgclub.org)
d) the Town's webpage (webmaster@town.arlington.ma.us)
e) the Mystic River Watershed Association (contact@mysticriver.org).
f) Spy Pond committee (Brad Barber, chair, bradb@shore.net)
g) Arlington Land Trust (Jenn Ryan, director, info@arlingtonlandtrust.org)

32. Application of all herbicides, algaecides or alum shall be administered by an applicator licensed by the Commonwealth of Massachusetts. A copy of the approved license shall be provided to the Conservation Commission prior to the initial application.

33. The rate of herbicide, algaecide or alum application shall be in accordance with this Order of Conditions and Permit, the Notice of Intent, the manufacturer's recommendations, and within applicable state guidelines, with the Notice of Intent and this Order of Conditions and Permit taking precedent.

34. Any temporary restriction of the pond water outflow to increase effectiveness of the herbicide or algaecide shall be monitored at a minimum of three (3) times per week during the treatment period by the Applicant to prevent excessive rise in water level and to prevent flooding.

35. The water level of Spy Pond may be lowered a maximum of approximately eight (8) inches as part of this project.

36. All precautions shall be taken to prevent spillage of any chemical, herbicide, algaecide or alum during application. Any such spillage shall be contained and cleaned-up immediately and fully, and shall be reported to the Conservation Commission and any other necessary local or state authorities.

37. Any equipment or vehicles shall not be stored at the site for more than seven (7) days prior to or seven (7) days after commencing each application.

38. Hand harvesting of aquatic weeds is allowed with this permit if the Commission is given prior notice and annual progress reports.

39. No later than 30 days after an approved treatment is applied to Spy Pond, the Applicant shall submit a report with the following information to the Conservation Commission (document sent to cbeckwith@town.arlington.ma.us):

1. What were the pond conditions at the time it was decided to apply the treatment;
2. What criteria were used to reach the decision to apply treatment;
3. Who was contacted and involved in making the decision to apply treatment;
4. What public notice was given prior to the treatment;
5. What precautions for public safety were taken on the day(s) of treatment;
6. What area(s) of the pond was treated;
7. What chemicals were used and in what quantity;
8. What public precautions were taken after treatment; and

9. What was the effect of the treatment in resolving the identified problem(s).

40. When requesting a renewal or extension of this permit, the applicant must submit a report to the Conservation Commission (document sent to cbeckwith@town.arlington.ma.us) on the overall health of Spy Pond and any work in the watershed to improve the water quality.

Town of Arlington, Massachusetts

Request for Certificate of Compliance

Summary:

Request for Certificate of Compliance:46 Spy Pond Parkway
MassDEP File #091-0300
Request to Continue to 07/01/2021

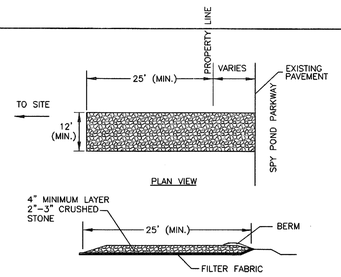
8:00pm The project as approved proposed to raze and rebuild an existing single family home and add resource area improvements through a native vegetation buffer along Spy Pond and pervious paver driveway, walkways, and patio in the 100-ft wetlands buffer and AURA of Spy Pond. The project was approved on 11/20/2018.

ATTACHMENTS:

Type	File Name	Description
Request for Certificate of Compliance	46_Spy_Pond_Parkway_Plan_10232018.pdf	46 Spy Pond Parkway Proposed Plan
Request for Certificate of Compliance	46_Spy_Pond_Parkway_Planting_Plan_10202018.pdf	46 Spy Pond Parkway Proposed Planting Plan
Request for Certificate of Compliance	46_Spy_Pond_Parkway_Recorded_OOC_11292018.pdf	46 Spy Pond Parkway OOC
Request for Certificate of Compliance	46_Spy_Pond_Parkway_RCOC_Cover_Letter_08252020.PDF	46 Spy Pond Parkway Request for COC Letter
Request for Certificate of Compliance	46_Spy_Pond_Parkway_RCOC.pdf	46 Spy Pond Parkway Request for COC
Request for Certificate of Compliance	46_Spy_Pond_Parkway_As-Built.PDF	46 Spy Pond Parkway As Built
Request for Certificate of Compliance	46_Spy_Pond_Parkway_COC_Additional_Letter_02252021.pdf	46 Spy Pond Parkway RCOC Additional Letter
Request for Certificate of Compliance	46_Spy_Pond_Parkway_Grass_Replacement_for_Buffer_As_Built.pdf	46 Spy Pond Parkway Buffer As Built
Request for Certificate of Compliance	46_Spy_Pond_Parkway_As_Built_04292021.PDF	46 Spy Pond Parkway As Built_revised
Request for Certificate of Compliance	46_Spy_Pond_Parkway_RCOC_Letter_04292021.PDF	46 Spy Pond Parkway RCOC Letter_revised

GENERAL NOTES

1. ELEVATIONS REFER TO NAD 83. BENCHMARK: PK NAIL SET IN UTILITY POLE NEAR THE SOUTH EAST PROPERTY CORNER, ELEVATION = 11.9.
2. THE LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES SHALL BE CONSIDERED APPROXIMATE AND MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL VERIFY THE THE LOCATIONS OF ANY CROSSINGS OF PROPOSED AND EXISTING UTILITIES.
3. MASSACHUSETTS STATE LAW REQUIRES UTILITY NOTIFICATION AT LEAST THREE BUSINESS DAYS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL CALL DIG-SAFE AT 1-888-344-7233 IN ORDER TO COMPLY WITH STATE LAW.
4. THIS PLAN IS THE RESULT OF AN INSTRUMENT SURVEY DONE ON THE GROUND 10/28/17, 7/25/18.
5. ALL WORK SHALL BE SUBJECT TO THE INSPECTION BY AND APPROVAL OF THE TOWN ENGINEER & DPW.
6. IN CASES WHERE LEDGE OR BOULDERS ARE ENCOUNTERED, EVERETT M. BROOKS CO. WILL NOT BE RESPONSIBLE FOR THE AMOUNT OF ROCK ENCOUNTERED.
7. IF ANY PART OF THIS DESIGN IS TO BE ALTERED IN ANY WAY, THE DESIGN ENGINEER, AS WELL AS THE APPROVING AUTHORITIES, SHALL BE NOTIFIED IN WRITING BEFORE CONSTRUCTION.
8. ALL OF THE ROOF RUNOFF FROM THE PROPOSED ROOF SURFACES INDICATED SHALL BE COLLECTED BY GUTTERS AND DIRECTED TO THE PROPOSED LEACHING GALLEYS.
9. ALL TOPSOIL, SUBSOIL OR IMPERVIOUS SOIL MUST BE EXCAVATED AND REMOVED BELOW THE LEACHING GALLEYS AND TO A DISTANCE 5' LATERALLY IN ALL DIRECTIONS BEYOND THE SIDES OF THE GALLEYS. BACKFILL AS REQUIRED WITH A CLEAN GRANULAR SAND, FREE FROM ORGANIC MATTER AND DELETERIOUS SUBSTANCES. THE SAND SHALL HAVE A PERCOLATION RATE OF 2 MINUTES PER INCH OR FASTER.
10. THE CONTRACTOR IS RESPONSIBLE FOR NOTIFYING THE DESIGN ENGINEER FOR INSPECTIONS OR AS-BUILT LOCATIONS. EVERETT M. BROOKS CO. WILL NOT PROVIDE AS-BUILT CERTIFICATION TO UNINSPECTED BACKFILLED UTILITIES. A MINIMUM OF 48 HOURS NOTICE IS REQUIRED PRIOR TO INSPECTIONS.
11. ANY PROPOSED WALLS BY OTHERS.
12. SOIL CONDITIONS AND GROUNDWATER ELEVATION SHALL BE EVALUATED AT THE TIME OF CONSTRUCTION. THE PROPOSED DRAINAGE SYSTEM SHALL BE MODIFIED, IF REQUIRED.

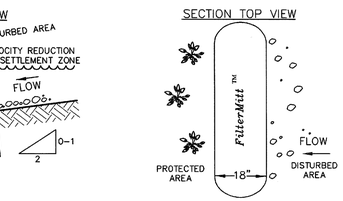


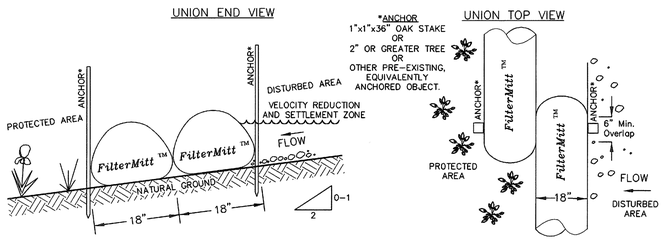
NOTES:

1. ENTRANCE WIDTH SHALL BE A TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
2. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH SHALL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY. BERM SHALL BE PERMITTED. PERIODIC INSPECTION AND MAINTENANCE SHALL BE PROVIDED AS NEEDED.

CONSTRUCTION ENTRANCE

N.T.S.





***FilterMitt*™ COMPONENTS:**

OUTSIDE CASING: 100% organic hessian.

FILLER INGREDIENT: *FiberRoot Mulch*™

- A blend of coarse and fine compost and shredded wood.
- Particle sizes: 100% passing a 3" screen; 90-100% passing a 1" screen; 70-100% passing a 0.75" screen; 30-75% passing a 0.25" screen.
- Weight: Approx. 850 lbs./cu.yd. (Ave. 30 lbs./l.f.)

For more information visit:
www.groundscapesexpress.com
or contact us at:
Groundscapes Express, Inc.
P.O. Box 737
Wrentham, MA 02093
(508) 384-7140

***FilterMitt*™ INSTALLATION:**

With the newest technology and equipment, sections can be constructed on site in lengths from 1' to 100'.

Sections can also be delivered to the site in lengths from 1' to 8'.

The flexibility of *FilterMitt*™ allows it to conform to any contour or terrain while holding a slightly oval shape at 12" high by 18" wide.

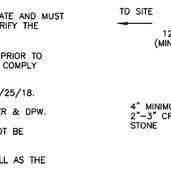
Where section ends meet, there shall be an overlap of 6" or greater. Both sides shall be anchored (oak stakes, trees, etc.) to stabilize the union.

***FilterMitt*™ by Groundscapes Express, Inc.**

2:1 SLOPES OR LESS

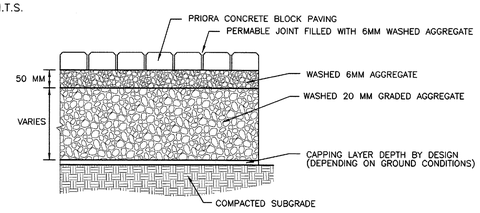
SILTATION CONTROL DETAIL

N.T.S.



TYPICAL DOWNSPOUT DETAIL

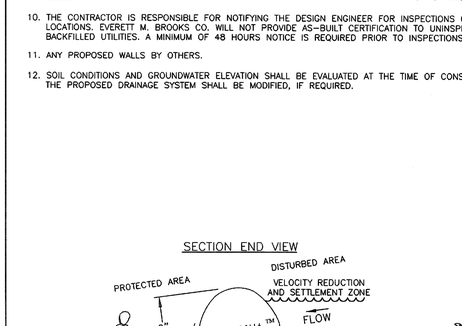
N.T.S.



PRIORA CONCRETE BLOCK PAVING

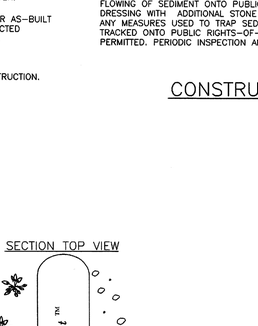
TYPICAL PERMEABLE PAVERS DETAIL

N.T.S.



SECTION VIEW

GENERAL NOTES
RECHARGER 330XL HD BY CULTEC, INC. OF BROOKFIELD, CT.
STORAGE PROVIDED = 11.32 CF/FT PER DESIGN UNIT
REFER TO CULTEC, INC.'S CURRENT RECOMMENDED INSTALLATION GUIDELINES.
THE CHAMBER WILL BE DESIGNED TO WITHSTAND TRAFFIC LOADS WHEN INSTALLED ACCORDING TO CULTEC'S RECOMMENDED INSTALLATION INSTRUCTIONS.
ALL RECHARGER 330XL HD HEAVY DUTY UNITS ARE MARKED WITH A COLOR STRIPE FORMED INTO THE PART ALONG THE LENGTH OF THE CHAMBER.
ALL RECHARGER 330XL HD CHAMBERS MUST BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS



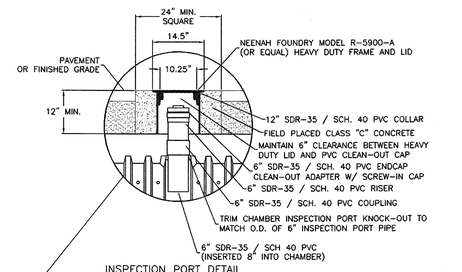
CULTEC RECHARGER 330XLHD CHAMBER STORAGE = 7.459 CF/FT
INSTALLED LENGTH ADJUSTMENT = 1.5'

SINGLE - SIDE VIEW

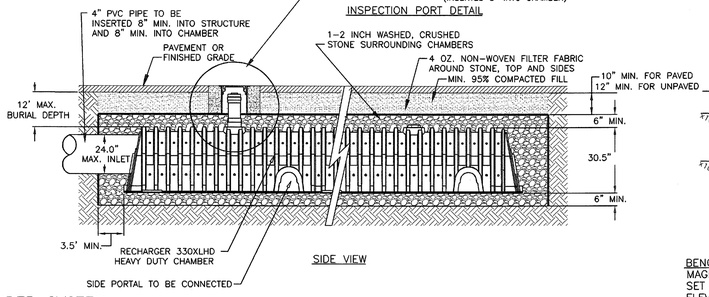
TRAFFIC APPLICATION

CULTEC RECHARGER 330XL CHAMBER SYSTEM

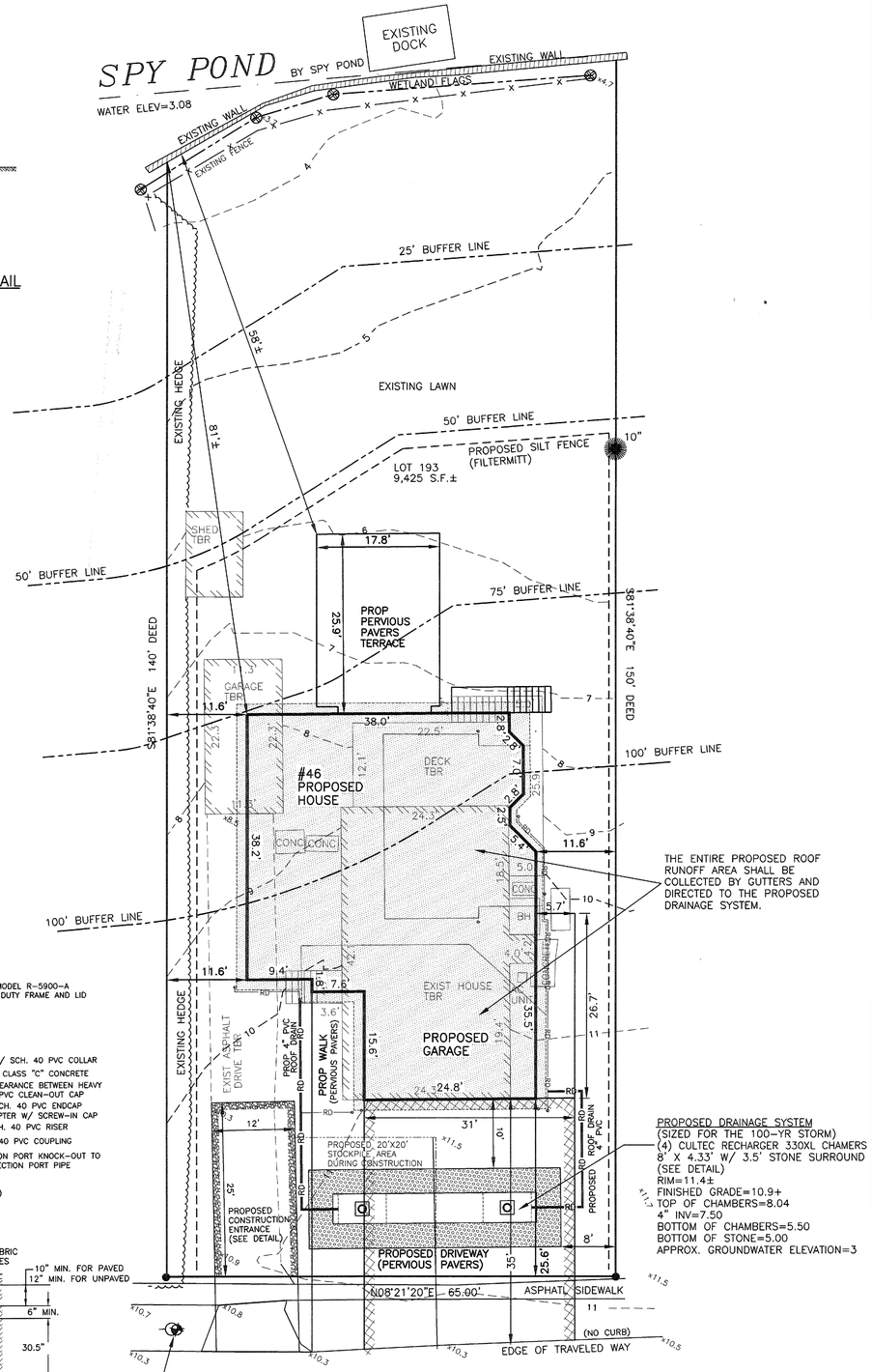
N.T.S.



INSPECTION PORT DETAIL



SIDE VIEW



ESTABLISHED 1916
EMB
EVERETT M. BROOKS CO.
SURVEYORS & ENGINEERS
49 LEXINGTON STREET
WEST NEWTON, MA 02465
(617) 527-8750
info@everettbrooks.com

0' 10' 20' 30'

DEED REFERENCE:
BK 1478 PG 58
PLAN REFERENCE:
L.C.C. 16919 D

LEGEND

	UTILITY POLE
W	WATER GATE
	HYDRANT
G	GAS GATE
S	SEWER MANHOLE
D	DRAIN MANHOLE
	CATCH BASIN
	TREE
	LIGHT POLE
	SIGN
TBR	TO BE REMOVED
TBA	TO BE ABANDONED
TH#1	DEEP TEST HOLE
PT#1	PERCOLATION TEST
71.4 X	SPOT ELEVATION
71	PROPOSED CONTOUR
71	EXISTING CONTOUR
D	DRAIN LINE
RD	ROOF DRAIN
FD	FOUNDATION DRAIN
W	WATER LINE
S	SEWER LINE
G	GAS LINE
OHW	OVERHEAD WIRES
X	FENCE
	STONEWALL
	HEDGE
	TREE LINE

COMMONWEALTH OF MASSACHUSETTS — MICHAEL S. KOSMO — CIVIL — No. 31487 — REGISTERED PROFESSIONAL ENGINEER — 10/23/18

COMMONWEALTH OF MASSACHUSETTS — BRUCE BRADFORD No. 38376 — REGISTERED PROFESSIONAL LAND SURVEYOR — 10/23/18

PLAN OF LAND IN ARLINGTON, MA

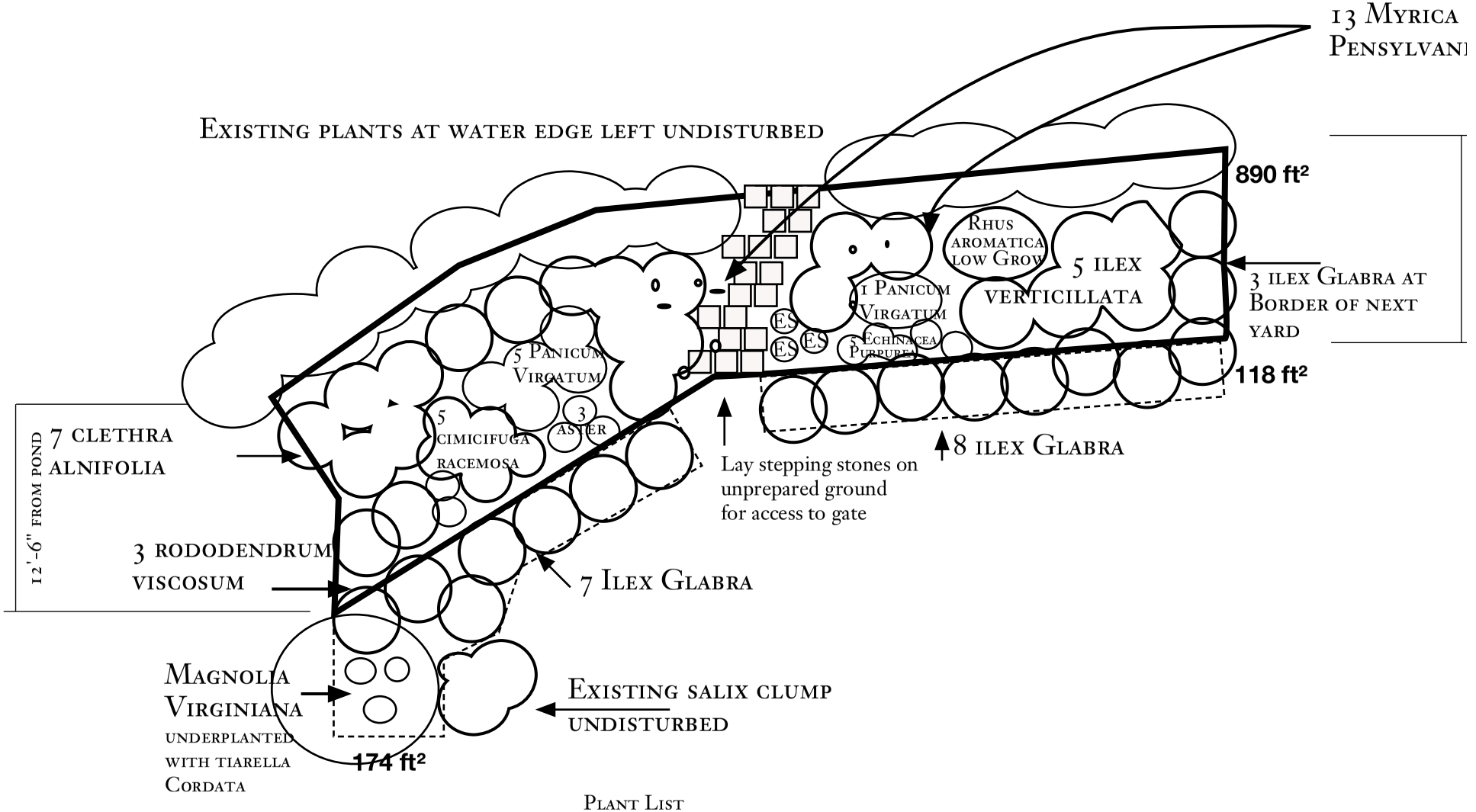
46 SPY POND PARKWAY
PROPOSED ADDITION

SCALE: 1 IN.= 10 FT.
DATE: SEPTEMBER 4, 2018
DRAWN: GA/ ES
CHECK: BB & MSK

REVISIONS:

10/23/18	VARIOUS REVISOINS	ES

PROJECT NO. 24816



Note:
The 12 foot buffer constitutes 890 sq.ft. This leaves the existing clump of salix isolated in an awkward way so I have added the ilex band and the Magnolia. (dotted line) Combined they add 292 sq. ft.

Total planting area is therefore 1182 sq.ft.

Plant List
13 Myrica Pensylvanica, Bayberry
1 Rhus Aramatica, sumac
5 Ilex Verticellata, Winterberry, 1 male +4 female
6 Panicum Virgatum, Switch Grass
3 Erogrostis Spec., Purple Love Grass
5 Echinacea Purpurea, Coneflower
3 Aster Nove Angliae, New England Aster
5 Cimicifuga Racemosa, Snakeroot
7 Clethra Alnifolia, Sweet Pepper Bush
3 Rododendron Viscosum, Swamp Azalea
7 Tiarella Cordata, Foamflower
18 Ilex Glabra, Ink Berry
1 Magnolia Virginiana

Home of Sean and Marimar Galvin
46 Spy Pond Parkway
Arlington, MA

12' Vegetation Buffer
Planting
october 20,2018

The office of Michael J Scanlon
Interior Design Space Planning Architectural Detailing
28 Holyoke Street, Boston, MA 02116 Tel 617-894-9785
E-Mail mjs@mjscanlon.com
National Council for Interior Design Qualification*cert #12167*

2018 01802528
Bk: 01478 Pg: 58 Cert#: 260345
Doc: ORD 11/29/2018 10:52 AM

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File # 091-0300
eDEP Transaction # Arlington
City/Town

A. General Information

Please note: this form has been modified with added space to accommodate the Registry of Deeds Requirements

1. From: Arlington Conservation Commission

2. This issuance is for (check one): a. ☒ Order of Conditions b. ☐ Amended Order of Conditions

3. To: Applicant:

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.

Sean (a. First Name) Galvin (b. Last Name)
c. Organization
d. Mailing Address
630 High Street, Medford (e. City/Town) MA (f. State) 02155 (g. Zip Code)

4. Property Owner (if different from applicant):

a. First Name b. Last Name
c. Organization
d. Mailing Address
e. City/Town f. State g. Zip Code

5. Project Location:

46 Spy Pond Parkway (a. Street Address) Arlington (b. City/Town) lot 193
18 (c. Assessors Map/Plat Number) 9-2 (d. Parcel/Lot Number)

Latitude and Longitude, if known: 42d24m18.108s (d. Latitude) 71d9m21.06s (e. Longitude)

260345

MS

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
   - Middlesex South (a. County)
   - 260345 (b. Certificate Number (if registered land))
   - 1478 (c. Book)
   - 58 (d. Page)

   Document #: 1709447

7. Dates:
   - 7/19/2018 (a. Date Notice of Intent Filed)
   - 11/1/2018 (b. Date Public Hearing Closed)
   - 11/20/2018 (c. Date of Issuance)

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
   - Plan of Land in Arlington, MA (a. Plan Title)
   - Everett M. Brooks Co. (b. Prepared By)
   - Michael S.Kosmo (Engineer) 9/4/2018 (c. Signed and Stamped by)
   - 10/23/2018 (d. Final Revision Date)
   - 1"=20' (e. Scale)
   - See attached (f. Additional Plan or Document Title)
   - (g. Date)

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

   Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

a. ☒ Public Water Supply	b. ☐ Land Containing Shellfish	c. ☒ Prevention of Pollution
d. ☐ Private Water Supply	e. ☐ Fisheries	f. ☒ Protection of Wildlife Habitat
g. ☒ Groundwater Supply	h. ☒ Storm Damage Prevention	i. ☒ Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

a. ☒ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

B. Findings (cont.)

Denied because:

b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**

c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

3. ☒ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) — 66.9 a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. ☐ Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. ☒ Bordering Vegetated Wetland	a. square feet	b. square feet	12 c. square feet	12 d. square feet
6. ☐ Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. ☐ Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. ☐ Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. ☐ Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. ☐ Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. ☐ Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. ☐ Coastal Beaches	a. square feet	b. square feet	c. nourishment (cu yd)	d. nourishment (cu yd)
14. ☐ Coastal Dunes	a. square feet	b. square feet	c. nourishment (cu yd)	d. nourishment (cu yd)
15. ☐ Coastal Banks	a. linear feet	b. linear feet		
16. ☐ Rocky Intertidal Shores	a. square feet	b. square feet		
17. ☐ Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. ☐ Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. ☐ Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. ☐ Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. c/y dredged	b. c/y dredged		
21. ☐ Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		
22. ☐ Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet

B. Findings (cont.)

* #23. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. ☒ Restoration/Enhancement *:

890
a. square feet of BVW

b. square feet of salt marsh

24. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
   a. The work is a maintenance dredging project as provided for in the Act; or
   b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
   c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.

C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.

9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.

10. A sign shall be displayed at the site not less then two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]

"File Number 091-0300 "

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.

12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.

13. The work shall conform to the plans and special conditions referenced in this order.

14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.

15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.

18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

19. The work associated with this Order (the "Project")
    (1) ☐ is subject to the Massachusetts Stormwater Standards
    (2) ☒ is NOT subject to the Massachusetts Stormwater Standards

    If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

    a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.

    b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
    i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
    ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
    iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement) for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.

h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.

i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.

j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.

k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.

l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):
See attached Findings and Conditions

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☒ Yes ☐ No
2. The Arlington Conservation Commission hereby finds (check one that applies):
   a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

      1. Municipal Ordinance or Bylaw ____ 2. Citation ____

      Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

   b. ☒ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

      Arlington Bylaw for Wetlands Protection (1. Municipal Ordinance or Bylaw) Title V, Art 8 (2. Citation)
3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.
   The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):
   See attached Findings and Conditions

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

11/20/2018
1. Date of Issuance

Please indicate the number of members who will sign this form.
This Order must be signed by a majority of the Conservation Commission.

4
2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

☒ by hand delivery on
11/20/2018
Date

☐ by certified mail, return receipt requested, on
Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Arlington
Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Arlington
Conservation Commission

Please be advised that the Order of Conditions for the Project at:

46 Spy Pond Parkway
Project Location

091-0300
MassDEP File Number

Has been recorded at the Registry of Deeds of:

Middlesex South
County

Book

Page

for: Sean Galvin
Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

DOCUMENTS REVIEWED

1. Notice of Intent for work at 46 Spy Pond Parkway, Arlington, MA, prepared by Goddard Consulting LLC, for the Applicant: Sean Galvin, dated July 16, 2018.

2. Wetland Border Report, prepared by Goddard Consulting LLC, dated July 24, 2018.

3. Square Footage Existing and Proposed Impermeable Area, prepared by Goddard Consulting LLC, amended March 2018, revised June 12, 2018, revised again October 12, 2018.

4. Existing Conditions Plan of 46 Spy Pond Parkway, prepared by Everett M. Brooks Co. and the Studio of Michael J Scanlon, stamped by Bruce Bradford, dated June 11, 2018, revised October 23, 2018.

5. Proposed Plan of 46 Spy Pond Parkway, prepared by Everett M. Brooks Co. and the Studio of Michael J Scanlon, stamped by Bruce Bradford, dated June 11, 2018, revised October 23, 2018.

6. Notations on Treatment of Landscape & Materials for Drive, Paths and Terrace, prepared by the Studio of Michael J Scanlon, dated June 30, 2018.

7. Detailed Plan of Land in Arlington, MA, prepared by Everett M. Brooks Co., stamped by Michael S. Kosmo (Civil) and Bruce Bradford (Land Surveyor), dated September 4, 2018, revised October 23, 2018.

8. Entire Proposed Roof Runoff Area and Drainage Analysis, prepared by Everett M. Brooks Co., stamped by Michael S Kosmos, dated September 4, 2018, revised September 27, 2018.

9. Alternatives Analysis, prepared by not listed, date not listed.

10. Climate Change Resilience Compliance, prepared by Goddard Consulting LLC, dated October 22, 2018.

11. Plan Showing Vegetated Buffer, prepared by Michael J Scanlon, dated October 20, 2018.

12. Existing Planting in the 100 Foot Buffer Plan, prepared by Michael J Scanlon, dated October 20, 2018.

13. Plan Showing 12 Foot Vegetation Buffer at Pond, prepared by Michael J Scanlon, dated October 20, 2018.

14. 12' Vegetation Buffer Planting Plan, prepared by Michael J Scanlon, dated October 20, 2018.

15. Letter from MassWildlife concerning proposed buffer planting, prepared by Mass Division of Fisheries & Wildlife, dated October 30, 2018.

PROCEDURAL SUMMARY

The Conservation Commission held a public hearing on the Notice of Intent on August 2, 2018. The hearing was continued several times at the request of the applicant. The Commission closed the hearing on November 1, 2018, and on November 15, 2018 deliberated and voted 7-0 to approve the Project with conditions under the Wetlands Protection Act (the "Act") and voted 7-0 to approve the Project with conditions under the Arlington Wetlands Protection Bylaw (the "Bylaw").

FINDINGS OF FACT AND LAW UNDER ARLINGTON WETLANDS PROTECTION BYLAW AND WETLANDS PROTECTION ACT

A. The Project as approved involves the demolition and construction of a single family home on a parcel abutting Spy Pond. The new home will create a net increase of 144.25 square feet of impervious surface within the 100 foot wetland buffer/Adjacent Upland Resource Area. The project includes the construction of pervious-paved driveway, walkways, and backyard terrace. The project also includes the creation of a 890 square foot vegetated buffer toward the pond-end of the parcel near existing vegetation along the pond's bank. The project's drainage system captures the entire roof's runoff and infiltrates the water through a Cultec Recharger system.

B. The parcel is approximately 9,425 square feet, located on Spy Pond, near the Spy Pond Parkway and Bay State Road intersection.

C. The following Resource Areas are present on the site or within 100 feet of the lot lines: Bordering Vegetated Wetland ("BVW") and Adjacent Upland Resource Area ("AURA") (Bylaw) and Buffer Zone (Act) to Bank and BVW. The Commission finds accurate the delineation of Resource Areas shown on the approved Site Plan.

D. The proposal also includes the construction of a native vegetated wetlands mitigation buffer.

E. Based on the testimony at the public hearing, and review of the application materials and the documents listed above submitted during the public hearing, the Commission concludes that the proposed Project will not alter Resource Areas under the Act and Bylaw, the work as conditioned will not have significant or cumulative effects upon the interests of the Wetlands Protection Act or the Resource Area values of the Arlington Wetlands Bylaw when the conditions imposed are implemented to protect the Resource Area values. With the conditions contained herein, the Project meets the performance standards in the Bylaw Regulations and state Wetlands Regulations, 310 CMR 10.00.

Additional Special Conditions

In addition to the General Conditions (numbered 1 – 20 above), the Project is subject to the following Additional Special Conditions (under both the Act and Bylaw):

21. Work permitted by this Order and Permit shall conform to the Notice of Intent, the approved plans and documents (listed above), and oral representations (as recorded in hearing minutes) submitted or made by the Applicant and the Applicant's agents or representatives, as well as any plans and other data, information or representations submitted per these Conditions and approved by the Commission.

22. The provisions of this Order and Permit shall apply to and be binding upon the Applicant and Applicant's assignees, tenants, property management company, employees, contractors, and agents.

23. No work shall be started under this Order until: (a) all other required permits or approvals have been obtained and (b) the appeal period of ten (10) business days from the date of issue of this Order has expired without any appeal being filed and (c) this Order has been recorded in the Registry of Deeds. No work shall be started under this Permit until all other necessary permits or approvals have been obtained.

24. The Applicant shall ensure that a copy of this Order of Conditions and Permit for work, with any referenced plans, is available on site at all times, and that contractors, site managers, foremen, and sub-contractors understand its provisions.

25. Prior to starting work, the Applicant shall submit to the Commission the names and 24-hour phone numbers of project managers or the persons responsible for site work or mitigation.

26. Before work begins, erosion and sediment controls shall be installed at the limits of the work area. These will include a silt fence and 12 inch straw or silt wattle around the entire work area (haybales are not allowed and silt socks are preferred).

27. The contractor shall contact the Conservation Agent (concomm@town.arlington.ma.us ; 781-316-3012) to arrange for a pre-construction meeting with the on-site project manager to walk through the Order of Conditions, confirm the wash out location, and walk the site to confirm the installation and placement of erosion controls prior to the start of any grading or construction work.

28. The contractor shall provide written Notice of the work start date to the Conservation Agent 48 hours prior to start of work.

29. All dumpsters must be covered at the end of each work day, and no dumpsters will be allowed overnight within the 100 foot Buffer Zone or Adjacent Upland Resource Areas ("AURA") or other Resource Areas.

30. No uncovered stockpiling of materials shall be permitted overnight within 100 feet of any waterway or water body.

31. Areas that are disturbed by construction and access activities shall as soon as possible be brought to final grade and reseeded and restabilized, and shall be done so prior to the removal of the erosion control barrier.

32. Arrangements shall be made for any rinsing of tools, equipment, etc. associated with on–site mixing or use of concrete or other materials such that the waste water is disposed of in the concrete wash out station-at least 50 feet from the resource area. In no case may waste water be discharged into or onto Resource Areas on or adjacent to the site. In no case may waste water be placed in stormdrains. Any spillage of materials shall be cleaned up promptly.

33. Any dirt or debris spilled or tracked onto any paved streets shall be swept up and removed daily.

34. No heavy equipment may be stored overnight within 50 feet of the wetland and no refueling or maintenance of machinery shall be allowed within the 100-foot Buffer Zone, 200-foot Resource Area, and Adjacent Upland Resource Area or within any Resource Area.

35. Any dewatering operations shall conform to the following:
(a) Notify the Conservation Commission that dewatering is required.
(b) Any catch basins, drain and outfalls to be used in dewatering operations shall be cleaned out before operations begin.
(c) Any water discharged as part of any dewatering operation shall be passed through filters, on-site settling basins, settling tank trucks, or other devices to ensure that no observable sediments or pollutants are carried into any Resource Area, street, drain or adjacent property.
(d) Measures shall be taken to ensure that no erosion or scouring shall occur on public or private property, or on the banks or bottoms of water bodies, as a result of dewatering operations.

36. The Commission, its employees, and its agents shall have the right of entry onto the site to inspect for compliance with the terms of this Order of Conditions and Permit until a Certificate of Compliance has been issued.

37. When requesting a Certificate of Compliance for this Order of Conditions, the Applicant must submit a written statement from a Massachusetts professional engineer, registered land surveyor, or registered landscape architect certifying that the completed work complies with the plans referenced in this Order, or provide an as-built plan and statement describing any differences.

38. The existing driveway shall be used as the construction entrance. One (1) foot of crushed stone shall be placed in the construction entrance.

39. At least 21 days prior to commencement of work, a revised Detailed Plan of Development shall be submitted by the Applicant and approved by the Conservation Commission clarifying the pervious paver depth (currently listed as "variable") of the driveway, walkways, and terrace. A minimum installation depth of two (2) feet shall be constructed for all pervious pavement.

40. At least 21 days prior to commencement of work, A new Detailed Plan of Development shall be submitted by the Applicant and approved by the Conservation Commission clarifying the size of the backyard pervious terrace. The backyard pervious terrace shall be constructed as a 17' x 17', rather than 25.8' x 17.8' as listed on the plans. These terrace dimensions and perviousness shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

41. Prior to plant installation, the Applicant shall submit planting plan details to the Conservation Commission for approval. Planting details shall include plant sizes, Latin names, regular names, number of plants, and transported method (containerized, balled-and-burlapped, etc.). All plantings shall be native and be installed and maintained according to the standards of the American Association of Nurserymen (AAN). This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

42. To avoid adding excess nitrogen runoff into Spy Pond, the Applicant shall only treat the lawn with slow release nitrogen fertilizer. Application of this fertilizer cannot occur in the summer, or after storm events. Lawn fertilizer shall only be applied twice a year, in spring and fall. No herbicides shall be used to treat invasive or unwanted plants. New plantings shall only be fertilized once, during the initial planting year. No rodenticides shall be used to treat pest management issues. This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

43. The Applicant shall install permanent markers (granite posts, etc.) along the lawn-facing edge of the vegetated buffer to prevent disruption and destruction, such as mowing. Maintenance of said permanent markings shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

44. Pervious surfaces shown on the project plans shall be maintained and not be replaced by impervious surfaces. This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

1802528

(1)

Doc 01802528

Southern Middlesex LAND COURT
Registry District

RECEIVED FOR REGISTRATION

On: Nov 29,2018 at 10:52A

Document Fee 75.00

Receipt Total: $75.00

NOTED ON: CERT 260345 BK 01478 PG 58

ALSO NOTED ON:

EVERETT M.

BROOKS
COMPANY

August 25, 2020

Sean Galvin
46 Spy Pond Parkway
Arlington, MA

RE: 46 Spy Pond Parkway, DEP File # 091-0300

Dear Mr. Galvin

Enclosed please find one (1) print of the plan entitled "Plan of Land in Arlington, MA 46 Spy Pond Parkway As-Built", dated June 29, 2020, revised 8/13/20..

This office completed an as-built survey and site inspections of the project site between June 2020 and August 2020. We find that the enclosed plan differs from the Order of Conditions and the approved site plan dated September 4, 2018, revised 10/23/20, as follows:

1. The planting area adjacent to Spy Pond is 742 S.F., a reduction from the proposed 890 S.F. planting area.
2. The backyard terrace was constructed at 25.8' x 17.8' as shown on the referenced site plan not at 17' x 17' as noted in Condition 40 of the Order of Conditions.
3. A larger basement access was constructed at the rear of the house. The paver access terrace is 75 S.F. with 36 S.F. of an added wall and steps, an increase from the proposed 50 S.F. access.
4. The impervious area within the 100 Buffer Zone is 990 S.F., an increase from the proposed area of 771 S.F.
5. Note that Condition 41 will need to be addressed by the Landscape Architect.

If you have any questions regarding this project, please feel free to call our office.

Very truly yours,

EVERETT M. BROOKS COMPANY

Michael S. Kosmo, P. E.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 8A – Request for Certificate of Compliance

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
091-0300
Provided by DEP

A. Project Information

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.





1. This request is being made by:

Sean D. Galvin and Marimar Galvin
Name

46 Spy Pond Parkway
Mailing Address

Arlington | MA | 02474
City/Town | State | Zip Code

781-640-6865
Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Sean Galvin
Applicant

November 20, 2018 | 091-0300
Dated | DEP File Number

Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

3. The project site is located at:

46 Spy Pond Parkway | Arlington
Street Address | City/Town

18 | 9-2 (Lot 193)
Assessors Map/Plat Number | Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Sean Galvin
Property Owner (if different)

Middlesex | 1478 | 58
County | Book | Page

260345
Certificate (if registered land)

5. This request is for certification that (check one):

☒ the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

☐ the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

☐ the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

☒ Yes — If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

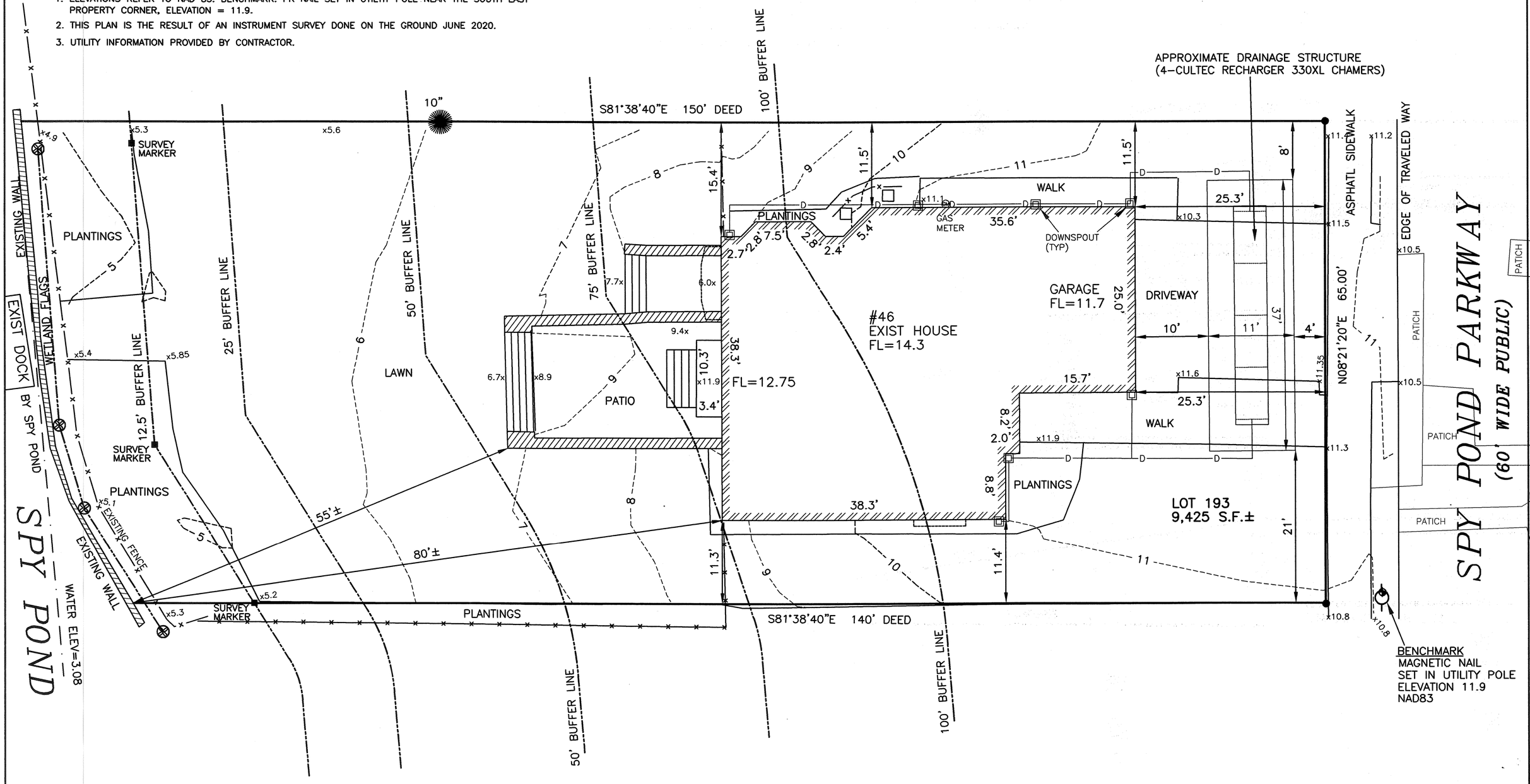
☐ No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html).

GENERAL NOTES

1. ELEVATIONS REFER TO NAD 83. BENCHMARK: PK NAIL SET IN UTILTIY POLE NEAR THE SOUTH EAST PROPERTY CORNER, ELEVATION = 11.9.
2. THIS PLAN IS THE RESULT OF AN INSTRUMENT SURVEY DONE ON THE GROUND JUNE 2020.
3. UTILITY INFORMATION PROVIDED BY CONTRACTOR.



ESTABLISHED 1916
EMB
EVERETT M. BROOKS CO.
SURVEYORS & ENGINEERS
49 LEXINGTON STREET
WEST NEWTON, MA 02465
(617) 527-8750
info@everettbrooks.com

0' 10' 20' 30'

DEED REFERENCE:
BK 1478 PG 58
PLAN REFERENCE:
L.C.C. 16919 D

LEGEND

	UTILITY POLE	---71---	EXISTING CONTOUR
W	WATER GATE	— D —	DRAIN LINE
	HYDRANT	— RD —	ROOF DRAIN
G	GAS GATE	— FD —	FOUNDATION DRAIN
S	SEWER MANHOLE	— W —	WATER LINE
D	DRAIN MANHOLE	— S —	SEWER LINE
	CATCH BASIN	— G —	GAS LINE
	TREE	— OHW —	OVERHEAD WIRES
	LIGHT POLE	— X —	FENCE
	SIGN		HEDGE
71.4 X	SPOT ELEVATION		TREE LINE

COMMONWEALTH OF MASSACHUSETTS
BRUCE BRADFORD
No. 38376
PROFESSIONAL LAND SURVEYOR
4/29/2020

PLAN OF LAND IN ARLINGTON, MA

46 SPY POND PARKWAY
AS-BUILT

SCALE:	1 IN.= 10 FT.
DATE:	JUNE 29, 2020
DRAWN:	GA/ ES
CHECK:	BB & MSK

REVISIONS:

PROJECT NO. 24816

SCAFIDI JULIANO, LLP
ATTORNEYS AT LAW

www.scafidijuliano.com | Telephone: 781-210-4710 | Facsimile: 781-210-4711

February 25, 2021

Arlington Conservation Commission
Arlington Town Hall
730 Massachusetts Avenue Annex
Arlington, Massachusetts 02476
Attention: Emily Sullivan, Administrator

RE: 46 Spy Pond Parkway, Arlington, MA
DEP Number: 091-0300

Dear Ms. Sullivan:

As you are aware, this office represents the owners Sean D. Galvin and Marimar Galvin relating to the outstanding Order of Conditions for the above-referenced property. On or about July 7, 2020, a Request for Certificate of Compliance was filed along with As Built Plans. As a result of said filing, the Commission had a few outstanding questions and concerns.

The purpose of this letter is to address the Commission's questions and concerns and also request to be placed on the agenda for your next public meeting so that we can address this matter.

It is our understanding that the outstanding questions and concerns cover a few of the Conditions, specifically:

Condition 39. At least 21 days prior to commencement of work, a revised Detailed Plan of Development shall be submitted by the Applicant and approved by the Conservation Commission clarifying the pervious paver depth (currently listed as "variable") of the driveway, walkways, and terrace. A minimum installation depth of two (2) feet shall be constructed for all pervious pavement.

Condition 40. At least 21 days prior to commencement of work, A new Detailed Plan of Development shall be submitted by the Applicant and approved by the Conservation Commission clarifying the size of the backyard pervious terrace. The backyard pervious terrace shall be constructed as a 17' x 17', rather than 25.8' x 17.8' as listed on the plans. These terrace

dimensions and perviousness shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

Condition 41. Prior to plant installation, the Applicant shall submit planting plan details to the Conservation Commission for approval. Planting details shall include plant sizes, Latin names, regular names, number of plants, and transported method (containerized, balled-and-burlapped, etc.). All plantings shall be native and be installed and maintained according to the standards of the American Association of Nurserymen (AAN). This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

As we would like to discuss these matters in more detail at the public hearing, our brief response to each are as follows:

Condition 39. It is admitted that in ignorance, the Owners believed that the engineer, Everett Brooks, was reporting back to the Commission and that any issues would have been brought up at that time of installation. In addition, the Owners believed that the inspection by Ms. Sullivan at the time of construction was sufficient enough to fulfill this condition. However, the Owners can confirm that the installation of the pavers was done in accordance to the instructions as attached hereto. In addition, it is very noticeable from the grade of the back terrace that enough crushed stone was placed below the terrace to allow the pavers to infiltrate accordingly as designed.

Condition 40. When excavation to construct the house and back terrace began, the water table was much higher than expected. As a result, the back terrace had to be higher than what was originally proposed. In an effort to keep the stairs at a reasonable steepness as a result of the increase in height, the terrace had to be elongated in order to allow this. As a result of the increased height of the terrace, impervious area increased from the proposed 771 square feet to 990 square feet which is due to the increased stairway and wall only.

Condition 41. See attached updated planting plan showing all plantings installed on the property which should satisfy the Commission.

Please feel free to contact me with any additional questions or concerns with this matter and we look forward to discussing the particulars with you at your next public hearing.

Respectfully submitted,

James A. Juliano

JAJ/abm

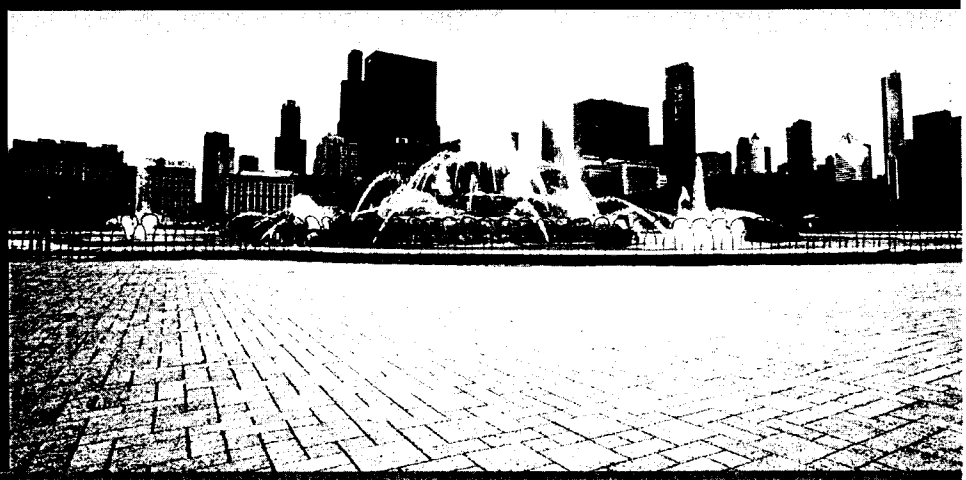
Enclosures





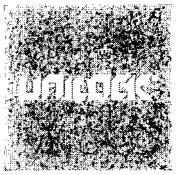






PERMEABLE PAVER
MAINTENANCE GUIDE

DESIGNED TO CONNECT.



This guide is specific to Unilock® permeable pavers as a maintainable system for storm water runoff and does not cover cleaning concrete pavers themselves. Please see the Unilock Product Care and Maintenance Guide (available for download at www.unilock.com) for information on cleaning concrete pavers. The maintenance information in this guide is intended for Unilock permeable paver systems only and not for other types of permeable pavers or pervious systems.

Maintenance is necessary for any type of permeable pavement system, much like any impervious pavement with catch basins and underground infrastructure. Over the lifetime of the permeable paver system there will be a need to clean any sediment, soil, dirt and debris from the joint aggregate material to maintain a sufficient infiltration rate. Every project will vary in performance needs, as well as to the frequency in which the joint material must be cleaned. The surface infiltration rate must be greater than the regional 100 year rainfall intensity to adequately ensure no runoff is generated, which is only one goal for using permeable pavers. Unilock® suggests establishing a maintenance plan using the techniques in this document to prevent clogging.

Preceding Maintenance 4

Examples of Common Maintenance Issues 4

Maintenance Types 5

Maintenance Equipment 6

Strategic Procedures for Maintaining Infiltration 8

Recommended Seasonal Maintenance Schedule 9

Winter Maintenance and De-icing 10

PRECEDING MAINTENANCE

Before providing maintenance on permeable paver systems, proper installation and protection during construction is required. Here are a few conditions to observe, require and prevent for establishing a successful system:

1. Verify correct installation and materials:
- Hire contractors with knowledgeable experience installing permeable pavers.
- Review and approve all sub-base, base and joint aggregate materials.
- Do not allow sand and dense-graded aggregates.

2. Prevent construction damage:
- Limit subgrade soil compaction when infiltration is necessary.
- Restrict vehicles with muddy tires from driving over newly placed pavers.
- Do not mix aggregate materials.

3. Refill joint material:
- Once, between 3 and 6 months after initial installation.
- Repeat as needed - approximately every 5-10 years.

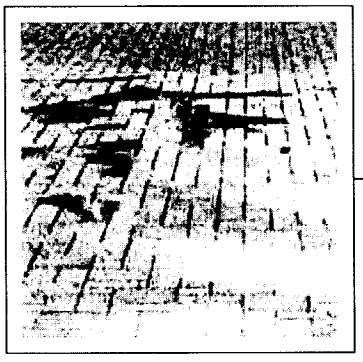
4. Avoid stockpiling of materials such as:
- Topsoil.
- Mulch.

The proper materials and installation execution can be found in the Unilock specifications for permeable pavers. Both residential and commercial projects will utilize the same base, setting bed and joint aggregates. Some projects many not require sub-base materials, underdrainage or geotextile. It is not necessary to separate the setting bed from the base aggregates with a geotextile.

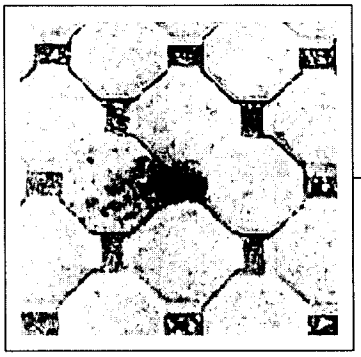
EXAMPLES OF COMMON MAINTENANCE ISSUES

Below are several warning signs and visual clues of common maintenance issues which must be prevented and addressed or remediated to ensure continued surface infiltration.

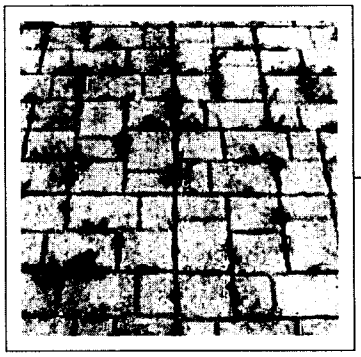
1. Slow Draining/Runoff:
- Verify with simple infiltration testing or observe after rain storms.
- Surface should drain immediately.



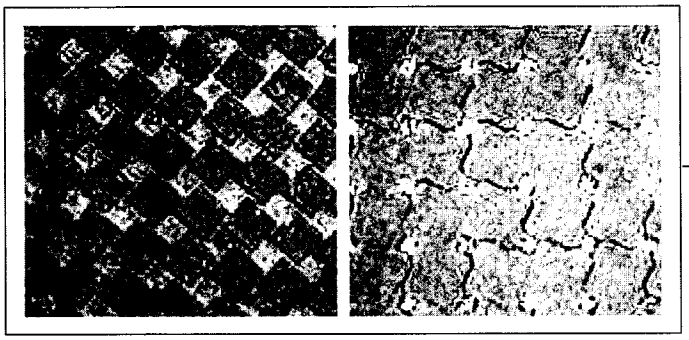
2. Ponding and Bird Baths:
- Rule of thumb: if more than a nickel deep one minute after a rainfall event, maintenance is necessary.
- Verify correct materials were installed.
- Exceptions at bottom of slopes.



3. Surface Crusting:
- Identify if there is a problem such as run on sediments.
- Increase cleaning frequency in troubled areas.
- Remove debris immediately.



4. Weeds:
- Weeds will not germinate unless there is a collection of soil or moisture.
- Remove weeds immediately.
- Clean sediment from joint material.
- Chemical treatment may be required prior to maintenance removal.



5. Covered Joint Material:
- Identify problem and correct.
- Remove immediately.
- Joint material should appear as photo on right.

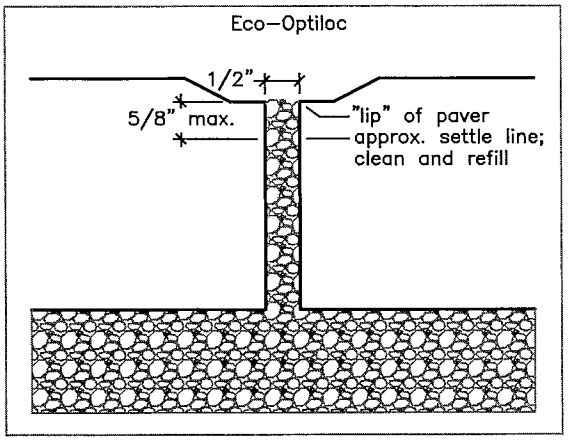
These common problems can often be easily remedied by maintaining the proper joint aggregate level.

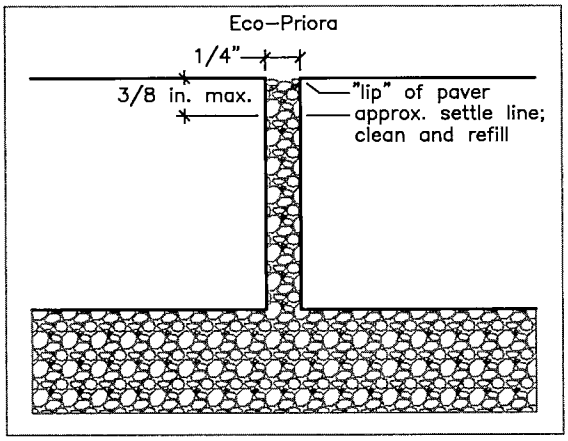
MAINTENANCE TYPES

There are two service types for maintaining the integrity of a permeable paver system.

1. **Preventative** – removes most miscellaneous debris before being trapped in the joint aggregate material causing clogging. This usually does not require removal of any joint material to restore infiltration.

2. **Restorative** – requires some removal or complete removal of the joint material to renew infiltration. Occurs after miscellaneous debris has been captured and lodged in the joint aggregate.





*__Note:__ *Both maintenance types will be most effective when the joint aggregate material is filled to the "lip" of the paver. If the joint material has settled more than the joint width, plus 1/8 inch below the paver lip, the maintenance equipment is significantly less effective and potentially more expensive.*

MAINTENANCE EQUIPMENT

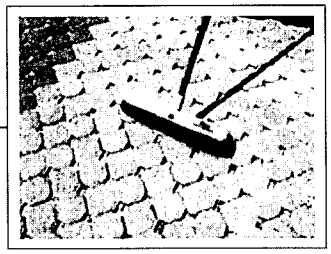
Maintenance equipment requirements will vary according to project size, age, and product type.

Project Type 1: For smaller pedestrian type areas such as sidewalks, driveways, plazas, patios or similar:

Preventative:

1. Hand-Held Bristle Broom

- Available at any hardware store.
- Sweep as needed to keep the surface clear of debris.
- Approximate cost: $15.

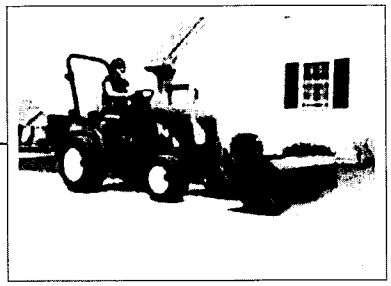


2. Leaf Blower

- Electric or gas powered.
- Minimum air speed of 120 mph.
- Joint aggregate material will remain in place while removing debris from paver surface.
- Approximate cost: $50 to $300.



3. Rotary Brush
- Poly bristles only.
- Flips debris from joint.
- Will require slight refilling of the joint aggregate material.
- Approximate cost: varies depending on attachment vehicle.

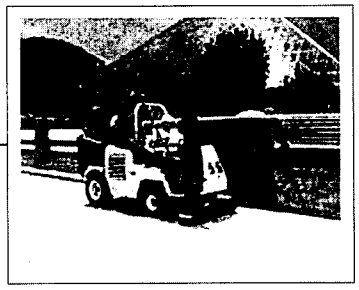


Restorative:

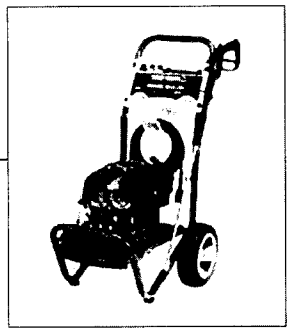
1. Wet/Dry Shop Vacuum
- Minimum 4 HP (peak) motor with 130 cubic feet per minute suction.
- Will remove some joint aggregate material.
- Replenish removed joint aggregate material to "lip" of paver.
- Approximate cost: $50 to $150.



2. Riding Litter Vacuum
- Tennant ATLV 4300.
- 48 inch wide vacuum head.
- 110 gallon capacity.
- Can also be used as a preventative technique.
- Will evacuate most debris from joint except for aggregate material.
- Approximate cost: approx. $25K new.



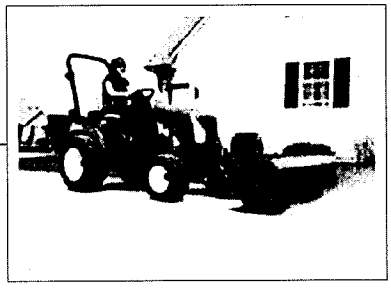
3. Powerwasher
- Capable of spraying 1,400 to 1,800 psi.
- Spray at a 30 degree angle approximately 18 to 24 inches from the surface.
- Will evacuate joint material.
- Replenish removed joint aggregate material to "lip" of paver.
- Approximate cost: $125 to $500.



<u>Project Type 2:</u> For larger vehicular areas such as roads, parking lots, alleys, plazas or similar that can support vehicles:

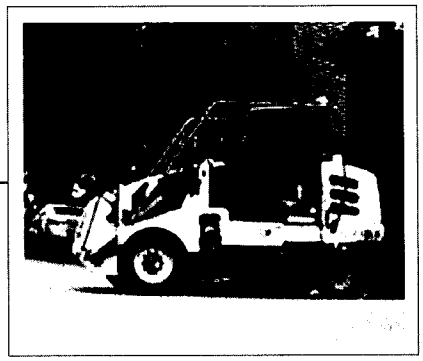
Preventative:

1. Rotary Brush
- Poly bristles only.
- Flips debris from joint.
- Will require slight refilling of the joint aggregate material.
- Approximate cost: Varies depending on attachment vehicle.



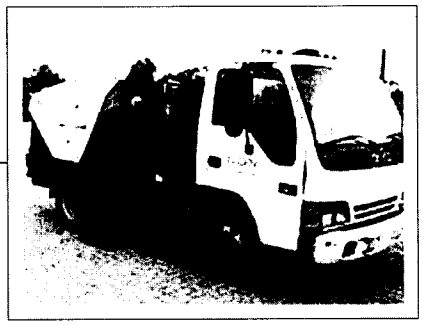
2. Broom Sweepers

- Typical "street sweeper" type.
- Rotating curb brushes with center pickup.
- Poly bristles only.
- Do not utilize water to clean the surface as this can have detrimental effects on the cleaning.
- Best for seasonal cleaning.
- Approximate cost: $100 to $120 per hour from a service company.



3. Regenerative Air Sweepers

- Light duty suction cleaning.
- Utilizes stream of air blowing horizontally across surface and vacuuming.
- No rotating brushes.
- Approximate cost: $45 to $65 per hour from a service company.



Restorative:

1. Vacuum Sweepers

- Vacall Dynamic Multi-Purpose Vacuum. *(top photo)*
- Elgin Whirlwind. *(bottom photo)*
- Heavy duty cleaning.
- Minimum suction of 14,000 cubic feet per minute.
- Complete evacuation of joint aggregate material.
- Replenish removed joint aggregate material to "lip" of paver.
- Approximate cost: $2.50 to $4.50 per parking space.



2. Powerwashers

- Capable of spraying 1,400 to 1,800 psi.
- Spray at a 30 degree angle approximately 18 to 24 inches from the surface.
- Will evacuate joint aggregate material.
- Replenish removed joint aggregate material to "lip" of paver.

STRATEGIC PROCEDURES FOR MAINTAINING INFILTRATION

Observe and implement the following habitual procedures to ensure longevity of the system.

1. **Weekly** – prevent contamination from routine landscape maintenance such as grass clippings from mowing, hedge trimming, mulching plant beds, etc. by implementing the following joint opening cleaning procedures immediately after contamination occurs:
   - Hand broom debris from the paver surface.
   - Blow debris from the paver surface with backpack blower type device, collect and dispose.
   - Mechanically sweep paver surface.

2. **Monthly** – observe any collection areas of debris, dirt, topsoil, mulch, etc. after season events such as snowfall, rain storms, leaf litter, etc. and investigate if clogging is occurring. Immediately restore infiltration using the following cleaning options:
   - Break up any crust covering the joint aggregate material with hand broom for smaller areas or mechanically with a rotary sweeper for larger areas. Remove debris material.
   - When necessary, restore infiltration using wet/dry shop vacuum for small areas or vacuum truck for larger areas by removing debris from joint aggregate material.
   - Replenish joint aggregate material to "lip" of paver.

3. **Yearly** – establish a seasonal maintenance schedule that includes the following:
   - Sweep entire permeable paving surface with appropriate preventative sweeping devices.
   - Replenish joint aggregate material to "lip" of paver.

4. **Ten years plus** – plan long term maintenance to rejuvenate infiltration rates:
   - Complete restoration of the joint aggregate material.
   - Replenish joint with cleaned or new aggregate material to "lip" of paver.

RECOMMENDED SEASONAL MAINTENANCE SCHEDULE

Unilock suggests establishing a best practices maintenance program to ensure longevity of the systems before restorative action is required. Biannual preventative maintenance is suggested as shown in the schedule below. This includes sweeping once in the early spring and once again in the late fall. Below is a preventative maintenance timeline that includes four maintenance suggestions:

1. **After the snow melt – March 1 through April 15**
   - Broom, blow, rotary brush or sweep entire surface.
   - Clean debris from paver surface in location of snow stockpile area.
   - Replenish joint aggregate material after cleaning.
   - Every fifth year, vacuum or power wash problem areas and refill joint material.

2. **Late Spring – April 1 through May 15**
   - Broom, blow, rotary brush or sweep flowers from trees and shrubs.
   - Collect any additional debris from areas mulched or planted with annual flowers.
   - Replenish joint aggregate material as necessary.

3. **Late Summer – July 15 through August 30**
   - Broom, blow, rotary brush or sweep lawn and shrub clippings or tree fruits.
   - Collect any additional debris from summer activities such as charcoal coals inadvertently dumped on the permeable surface, beach sand, etc.
   - Replenish joint aggregate material as necessary.

4. **Late Fall – October 15 through November 30**
   - Broom, blow, rotary brush or sweep plant leaves.
   - Replenish joint aggregate material as necessary.

Various factors will affect each project's preventative maintenance timeline and must be reviewed individually.

See the Recommended Seasonal Maintenance Schedule chart on next page.

Recommended Maintenance Schedule		Seasonal BMP			
		After Snow Melt	Late Spring	Late Summer	Late Fall
Techniques	**Project Type 1: Preventative - choose one**		**1x per season**	**optional**	**1x per season**
	Bristle Broom	**	*	*/**	*
	Leaf Blower	**	*	*/**	*
	Rotary Brush		*	*/**	*
	Project Type 1: Restorative		**		**
	Wet-Dry Vacuum	**	**	**	**
	Riding Litter Vacuum		*	**1x every 5 yrs.	*
	Powerwasher	**	**	**	**
	Project Type 2: Preventative - choose one		**1x per season**	**optional**	**1x per season**
	Rotary Brush		*	*	*
	Broom Sweepers		*		*
	Regenerative Air Sweepers		*		*
	Project Type 2: Restorative				
	Vacuum Sweepers			** 1x every 10 yrs.	
	Powerwasher	**	**	**	**

* recommended

** as needed per Strategic Procedures

WINTER MAINTENANCE AND DE-ICING

Durability is one benefit that Unilock paving stones are known for. Almost all Unilock paving stones have a slight bevel around the edge of the stone. This helps protect the edges from potential chipping by snow clearing equipment. Always use a plastic snow shovel for paving stones. Also fit snow blowers with plastic shoes on the adjustable gliders and on the scoop edge.

When using commercial snow removal companies, confirm in writing they have protective edges on the snowplow equipment to avoid scratching the surface. Although the metal on snow clearing equipment will not adversely affect Unilock paving stones structurally, the contact of any steel on concrete can potentially leave tiny particles of metal in the paver surface which will rust and leave unsightly brown streaks. (A good example of this can be seen on the municipal curbs at the street). To reduce aesthetic damage to the paver surface, only use a polymer or rubber cutting edge on the plow.

De-icing substances, when used in proper amounts, will not damage good-quality concrete. They will, however, speed up the surface wear on some styles of pavers. Many of the exposed aggregate products and tumbled products are unaffected by virtue of their style.

There are three primary types of de-icing salts:

- Sodium chloride (common rock salt) is the most popular de-icing salt. It is widely available and it will melt snow and ice at temperatures down to approximately 16° F. Below 16° F, rock salt stops melting snow and ice. Sodium chloride can damage adjacent grass, plants and metal. Apply with caution and use as sparingly as possible.

- Calcium chloride is another de-icing salt. It generally looks like small, white, round, pellets. It will melt snow down to about 0° F. It can irritate skin. Studies indicate that depending on the concentration, calcium chloride is less damaging to grass than sodium chloride is. Heavy concentrations of calcium chloride can chemically attack concrete.

- Potassium chloride is a de-icing salt available in some markets. It will not hurt skin or damage plants. However, it melts ice only when the air temperature is above 15° F, but it can be combined with sand to improve effectiveness.

Note: *Do not use magnesium chloride.*

Note: *Do not use sand for anti-skid with permeable pavers as it will clog the joint material.*

Note: *Fertilizers that contain ammonium nitrate and ammonium sulfate should not be used for de-icing since these substances attack the integrity of concrete. Always read the manufacturer's recommendations for use and heed all warnings and cautions.*

NOTES

When we take care of the earth,
it will ultimately take care of us.

BOSTON
35 Commerce Dr.
Uxbridge, MA 01569
Tel: (508) 278-4536
Fax: (508) 278-4572

BUFFALO
510 Smith St.
Buffalo, NY 14210
Tel: (716) 822-6074
Fax: (716) 822-6076

CHICAGO
301 E. Sullivan Rd.
Aurora, IL 60505
Tel: (630) 892-9191
Fax: (630) 892-9215

CLEVELAND
12560 Sheets Rd.
Rittman, OH 44270
Tel: (330) 927-4000
Fax: (330) 927-4100

DETROIT
12591 Emerson Dr.
Brighton, MI 48116
Tel: (248) 437-7037
Fax: (248) 437-4619

MILWAUKEE
W 4814 Country Hwy A
Elkhorn, WI 53121
Tel: (262) 742-3890
Fax: (262) 742-2168

NEW YORK
51 International Blvd.
Brewster, NY 10509
Tel: (845) 278-6700
Fax: (845) 278-6788

CHESTER
26 Tetz Rd.
Chester, NY 10918
Tel: (845) 469-1230
Fax: (845) 469-1213

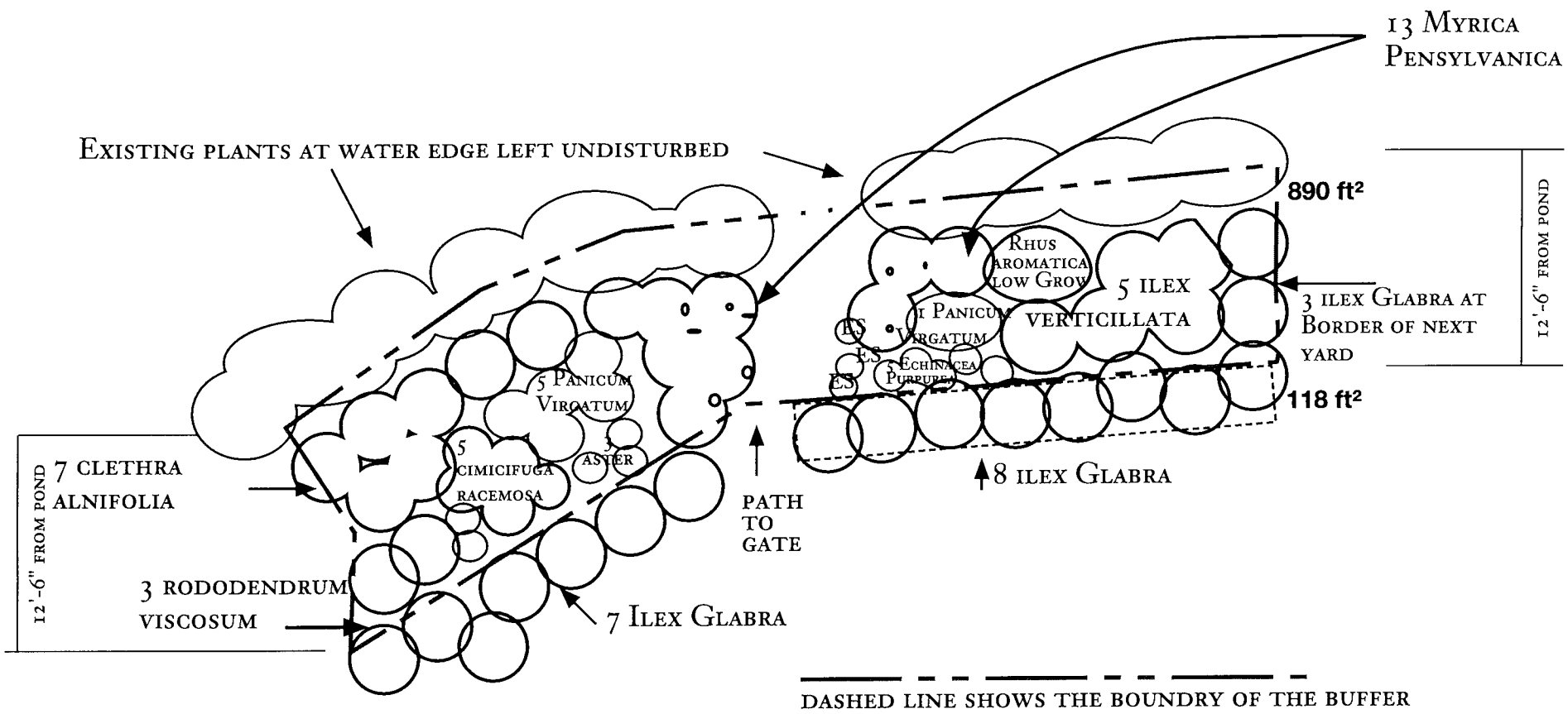
PHILADELPHIA
229 Route 541 Bypass
Lumberton, NJ 08048
Tel: (609) 914-0000
Fax: (609) 914-0209

TORONTO
287 Armstrong Ave.
Georgetown, ON L7G 4X6
Tel: (416) 646-9000
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Note:
The 12 foot buffer constitutes 890 sq.ft. This leaves the existing clump of salix isolated in an awkward way so I have added the ilex band and the Magnolia. (dotted line) Combined they add 292 sq. ft.

Total planting area is therefore 1182 sq.ft.

Plant List
13 Myrica Pensylvanica, Bayberry
1 Rhus Aramatica, sumac
5 Ilex Verticellata, Winterberry, 1 male +4 female
6 Panicum Virgatum, Switch Grass
3 Erogrostis Spec., Purple Love Grass
5 Echinacea Purpurea, Coneflower
3 Aster Nove Angliae, New England Aster
5 Cimicifuga Racemosa, Snakeroot
7 Clethra Alnifolia, Sweet Pepper Bush
3 Rododendron Viscosum, Swamp Azalea
7 Tiarella Cordata, Foamflower
18 Ilex Glabra, Ink Berry

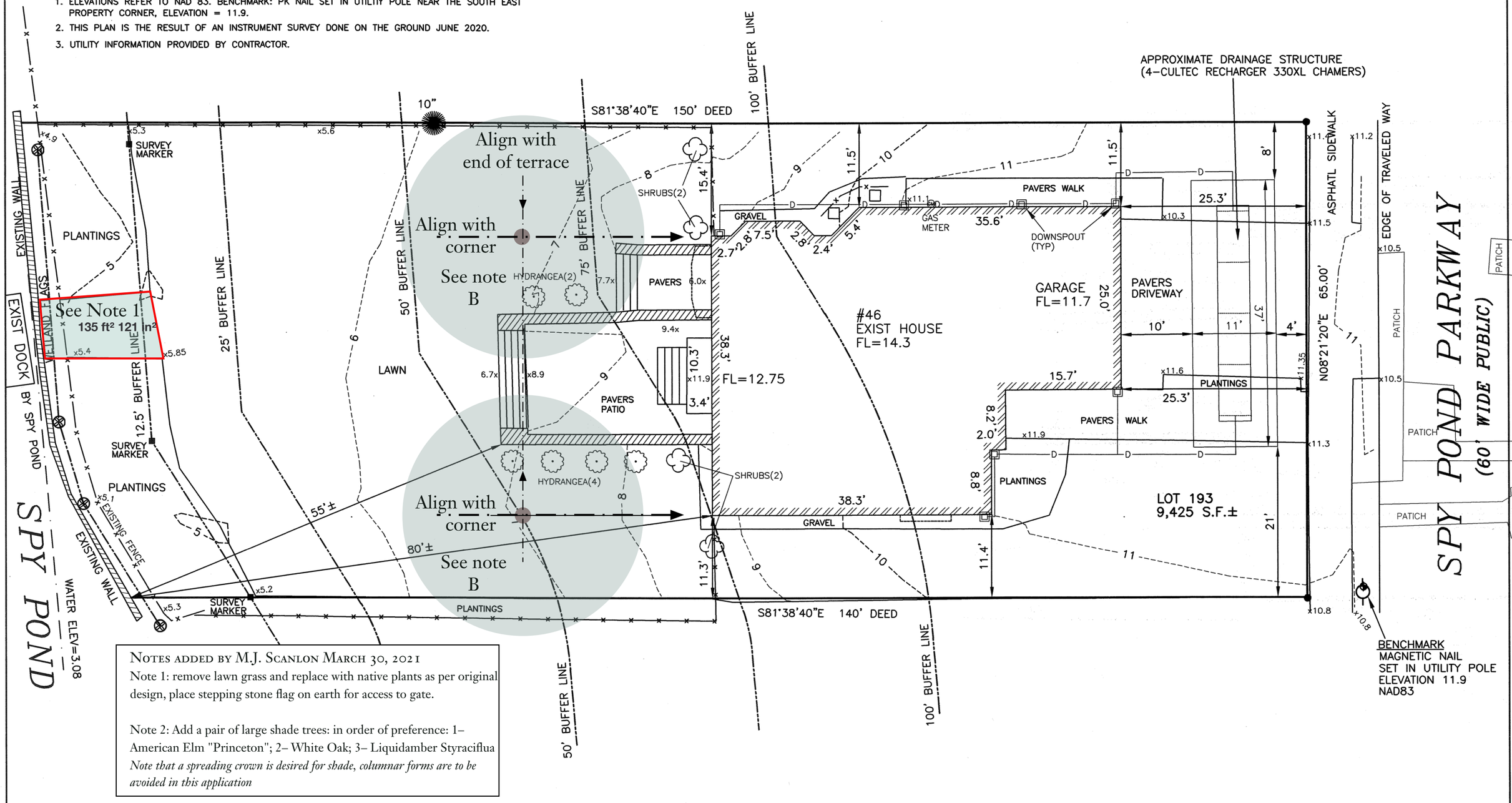
12 foot vegetation buffer
46 Spy Pond Parkway
Arlington, MA
May 2020

The Studio Of
Michael J. Scanlon
28 Holyoke Street, Boston MA, 02116
617-894-9785 mjs@mjscanlon.com

www.MJScanlon.com
National Council for Interior Design Qualification # 12167

GENERAL NOTES

1. ELEVATIONS REFER TO NAD 83. BENCHMARK: PK NAIL SET IN UTILTIY POLE NEAR THE SOUTH EAST PROPERTY CORNER, ELEVATION = 11.9.
2. THIS PLAN IS THE RESULT OF AN INSTRUMENT SURVEY DONE ON THE GROUND JUNE 2020.
3. UTILITY INFORMATION PROVIDED BY CONTRACTOR.



NOTES ADDED BY M.J. SCANLON MARCH 30, 2021

Note 1: remove lawn grass and replace with native plants as per original design, place stepping stone flag on earth for access to gate.

Note 2: Add a pair of large shade trees: in order of preference: 1– American Elm "Princeton"; 2– White Oak; 3– Liquidamber Styraciflua
Note that a spreading crown is desired for shade, columnar forms are to be avoided in this application

ESTABLISHED 1916
EMB
EVERETT M. BROOKS CO.
SURVEYORS & ENGINEERS
49 LEXINGTON STREET
WEST NEWTON, MA 02465
(617) 527-8750
info@everettbrooks.com

0' 10' 20' 30'

DEED REFERENCE:
BK 1478 PG 58
PLAN REFERENCE:
L.C.C. 16919 D

LEGEND

	UTILITY POLE	---71---	EXISTING CONTOUR
W	WATER GATE	— D —	DRAIN LINE
	HYDRANT	— RD —	ROOF DRAIN
G	GAS GATE	— FD —	FOUNDATION DRAIN
S	SEWER MANHOLE	— W —	WATER LINE
D	DRAIN MANHOLE	— S —	SEWER LINE
	CATCH BASIN	— G —	GAS LINE
	TREE	— OHW —	OVERHEAD WIRES
	LIGHT POLE	— X —	FENCE
	SIGN		HEDGE
71.4 X	SPOT ELEVATION		TREE LINE

COMMONWEALTH OF MASSACHUSETTS
BRUCE BRADFORD
No. 38375
PROFESSIONAL LAND SURVEYOR
8/13/2020

PLAN OF LAND IN ARLINGTON, MA

46 SPY POND PARKWAY
AS-BUILT

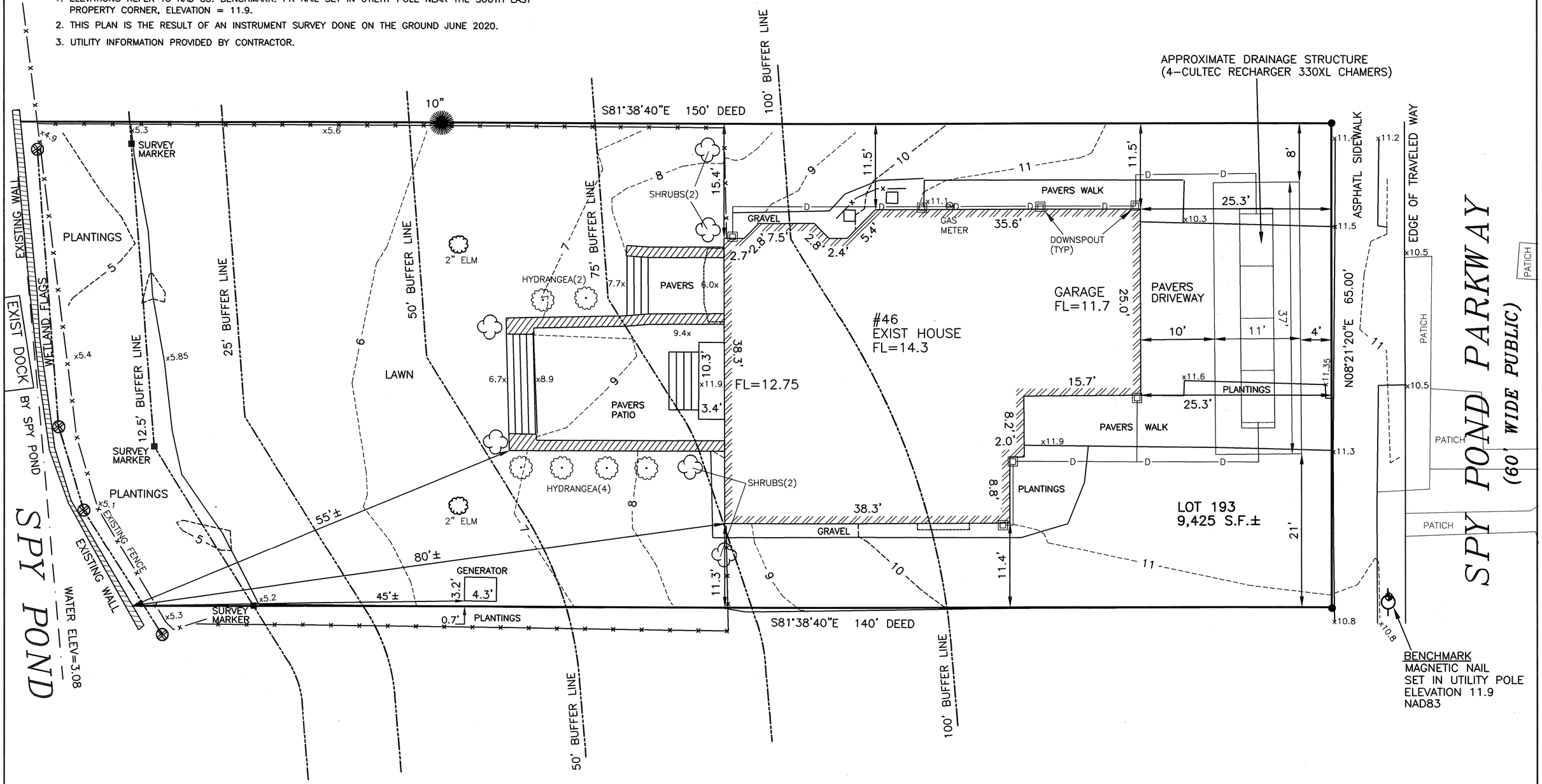
SCALE:	1 IN.= 10 FT.
DATE:	JUNE 29, 2020
DRAWN:	GA/ ES
CHECK:	BB & MSK

REVISIONS:		
8/13/20	VARIOUS	ES

PROJECT NO. 24816

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LEGEND

	UTILITY POLE	---71---	EXISTING CONTOUR
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	LIGHT POLE	— X —	FENCE
	SIGN		HEDGE
71.4 X	SPOT ELEVATION		TREE LINE

BRUCE BRADFORD
No. 38376
COMMONWEALTH OF MASSACHUSETTS
PROFESSIONAL LAND SURVEYOR
4/29/21

PLAN OF LAND IN ARLINGTON, MA

46 SPY POND PARKWAY
AS-BUILT

SCALE:	1 IN.= 10 FT.
DATE:	JUNE 29, 2020
DRAWN:	GA/ ES
CHECK:	BB & MSK

REVISIONS:		
8/13/20	VARIOUS	ES
4/29/21	GENERATOR, TREES	LNS

PROJECT NO. 24816

EVERETT M.

BROOKS
COMPANY

April 29, 2021

Sean Galvin
46 Spy Pond Parkway
Arlington, MA

RE: 46 Spy Pond Parkway, DEP File # 091-0300

Dear Mr. Galvin

Enclosed please find one (1) print of the plan entitled "Plan of Land in Arlington, MA 46 Spy Pond Parkway As-Built", dated June 29, 2020, revised 4/29/21..

This office completed an as-built survey and site inspections of the project site between June 2020 and April 2021. We find that the enclosed plan differs from the Order of Conditions and the approved site plan dated September 4, 2018, revised 10/23/20, as follows:

1. The backyard terrace was constructed at 25.8' x 17.8' as shown on the referenced site plan not at 17' x 17' as noted in Condition 40 of the Order of Conditions.
2. A larger basement access was constructed at the rear of the house. The paver access terrace is 75 S.F. with 36 S.F. of an added wall and steps, an increase from the proposed 50 S.F. access.
3. The impervious area within the 100 Buffer Zone is 990 S.F., an increase from the proposed area of 771 S.F.
4. Note that Condition 41 will need to be addressed by the Landscape Architect.
5. A generator and pad was added to the site.

If you have any questions regarding this project, please feel free to call our office.

Very truly yours,

EVERETT M. BROOKS COMPANY

Michael S. Kosmo, P. E.

SURVEYORS & ENGINEERS
49 Lexington Street West Newton, MA 02465 (617) 527-8750 Fax: (617) 332-1578 www.everettbrooks.com